

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Firearms Control Regulations Act of 1975 to prohibit the issuance of a registration certificate for ghost guns, and to prohibit the sale or transfer of ghost guns; to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to prohibit the possession of ghost guns; to amend the Firearms Safety Omnibus Clarification Emergency Amendment Act of 2020 to provide that it shall apply as of April 23, 2020; and to amend the Firearms Safety Omnibus Clarification Temporary Amendment Act of 2020 to clarify that it is subject to a 60-day congressional review period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Ghost Guns Prohibition Congressional Review Emergency Amendment Act of 2020”.

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 7-2501.01) is amended as follows:

(1) Paragraph (9B) is designated as paragraph (9C).

(2) A new paragraph (9B) is added to read as follows:

“(9B) “Ghost gun” means a firearm that, after the removal of all parts other than a receiver, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar; or any major component of which, when subjected

to inspection by the types of detection devices commonly used at secure public buildings and transit stations, does not generate an image that accurately depicts the shape of the component. The term “ghost gun” includes an unfinished frame or receiver.”.

(3) A new paragraph (12B) is added to read as follows:

“(12B) “Receiver” means the part of a firearm that provides the action or housing for the hammer, bolt, or breechblock and firing mechanism.”.

(4) A new paragraph (15A) is added to read as follows:

“(15A) “Security Exemplar” means an object, to be fabricated at the direction of the Mayor, that is:

“(A) Constructed of 3.7 ounces of material type 17-4 PH stainless steel in a shape resembling a handgun; and

“(B) Suitable for testing and calibrating metal detectors.”.

(5) A new paragraph (17B) is added to read as follows:

“(17B)(A) “Unfinished frame or receiver” means a frame or receiver of a firearm, rifle, or shotgun that is not yet a component part of a firearm, but which may without the expenditure of substantial time and effort be readily made into an operable frame or receiver through milling, drilling, or other means.

“(B) The term “unfinished frame or receiver” includes any manufactured object, any incompletely manufactured component part of a firearm, or any combination thereof that is not a functional frame or receiver but is designed, manufactured, assembled, marketed, or intended to be used for that purpose, and can be readily made into a functional frame or receiver.

“(C) For the purposes of this paragraph, the term:

“ (i) “Manufacture” means to fabricate, make, form, produce or construct, by manual labor or by machinery.

“(ii) “Assemble” means to fit together component parts.”.

(b) Section 202(a) (D.C. Official Code § 7-2502.02(a)) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(2) Paragraph (7) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new paragraph (8) is added to read as follows:

“(8) Ghost gun.”.

(c) Section 501 (D.C. Official Code § 7-2505.01) is amended by striking the phrase “destructive device” and inserting the phrase “destructive device, ghost gun, unfinished frame or receiver,” in its place.

Sec. 3. An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-4501) is amended by adding a new paragraph (2B) to read as follows:

“(2B) “Ghost gun” shall have the same meaning as provided in section 101(9B) of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01(9B)).”.

(b) Section 14(a) (D.C. Official Code § 22-4514(a)) is amended by striking the phrase “bump stock, knuckles” both times it appears and inserting the phrase “bump stock, ghost gun, knuckles” in its place.

Sec. 4. The Firearms Safety Omnibus Clarification Emergency Amendment Act of 2020, passed on final reading on April 7, 2020 (Enrolled version of Bill 23-729), is amended by adding a new section 6a to read as follows:

“Sec. 6a. Applicability.

“This act shall apply as of April 23, 2020.”.

Sec. 5. Section 8(a) of the Firearms Safety Omnibus Clarification Temporary Amendment Act of 2020, passed on 2nd reading on April 21, 2020 (Enrolled version of Bill 23-0730), is amended to read as follows:

“(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.”.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

102 This act shall take effect following approval by the Mayor (or in the event of veto by the
103 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
104 90 days, as provided for emergency acts of the Council of the District of Columbia in section
105 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
106 D.C. Official Code § 1-204.12(a)).

DRAFT