

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Office of Administrative Hearings Establishment Act of 2001 to make a conforming change; to amend the District of Columbia Mental Health Information Act of 1978 to authorize mental health professionals to disclose mental health information when necessary to request an extreme risk protection order and to require the disclosure of mental health information to the Office of Attorney General in response to a court order; to amend the Firearms Control Regulations Act of 1975 to prohibit the issuance of a firearm registration certificate to the subject of an extreme risk protection order, to require the Superior Court of the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for relief from disqualifications from firearm registration, to authorize the Mayor to issue rules, subject to Council review, to implement the provisions of the Firearms Control Regulations Act of 1975, to clarify that the Office of Attorney General may intervene and represent the interests of the District of Columbia with respect to petitions for extreme risk protection orders or provide individual legal representation, upon request, to a petitioner, to broaden the court's ability to place records related to extreme risk protection orders under seal, to establish procedures for computing periods of time relating to an extreme risk protection order, to provide for the use of calendar days instead of business days for timelines related to extreme risk protection orders, to require that the court consider the unlawful or reckless use, display, or brandishing of any weapon by the respondent in determining whether to issue an extreme risk protection order, to require that the initial hearing for a petition for a final extreme risk protection order be held within 14 days after the petition was filed, to require the Superior Court of the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for an extreme risk protection order, to modify the duration of ex parte extreme risk protection orders, to establish procedures for the issuance and execution of search warrants accompanying extreme risk protection orders, to add the Office of Attorney General and the Superior Court of the District of Columbia to the list of entities that shall receive information from the Metropolitan Police Department related to extreme risk protection orders, to require the Mayor or the Mayor's designee to submit information about extreme risk protection orders to the National Instant Criminal Background Check System for the purposes of firearm purchaser background checks, to prohibit the issuance of a registration certificate for ghost

47 guns, and to prohibit the sale or transfer of ghost guns; to amend the Homeland Security,
48 Risk Reduction, and Preparedness Amendment Act of 2006 to create a quorum requirement
49 for the Comprehensive Homicide Elimination Strategy Task Force and extend its report
50 submission deadline; to amend An Act To control the possession, sale, transfer, and use of
51 pistols and other dangerous weapons in the District of Columbia, to provide penalties, to
52 prescribe rules of evidence, and for other purposes to prohibit the possession of ghost guns;
53 and to amend the Act to Regulate Public Conduct on Public Passenger Vehicles to provide
54 that certain violations of the act shall be punishable by civil fines and adjudicated by the
55 Office of Administrative Hearings, and to authorize Metro Transit Police Department
56 officers to issue notices of infractions for alleged civil violations.
57

58 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
59 act may be cited as the “Omnibus Public Safety and Justice Emergency Amendment Act of 2021”.

60 Sec. 2. Section 6 of the Office of Administrative Hearings Establishment Act of 2001,
61 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding
62 a new subsection (b-26) to read as follows:

63 “(b-26) This act shall apply to all adjudicated cases involving a civil violation penalized
64 under section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles, effective
65 September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)).”

66 Sec. 3. Title IV of the District of Columbia Mental Health Information Act of 1978,
67 effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1204.01 *et seq.*), is amended as
68 follows:

69 (a) Section 402 (D.C. Official Code § 7-1204.02) is amended to read as follows:

70 “Sec. 402. Civil commitment proceedings; extreme risk protection orders.

71 “Mental health information may be disclosed by a mental health professional when and to
72 the extent necessary to:

73 “(1) Initiate or seek civil commitment proceedings under D.C. Official Code § 21-
74 541; or

75 “(2) Request an extreme risk protection order under Title X of the Firearms Control
76 Regulations Act of 1975, effective May 10, 2019 (D.C. Law 22-314; D.C. Official Code § 7-
77 2510.01 *et seq.*)”.

78 (b) Section 403 (D.C. Official Code § 7–1204.03) is amended by adding a new subsection
79 (c) to read as follows:

80 “(c) Mental health information shall be disclosed to the Office of the Attorney General for
81 the District of Columbia in response to a court order issued pursuant to section 203(f)(3)(A)(i) of
82 the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C.
83 Official Code § 7-2502.03(f)(3)(A)(i)) (“Firearms Act”) or section 1003(d)(2) of the Firearms
84 Act.”.

85 Sec. 4. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C.
86 Law 1-85; D.C. Official Code § 7–2501.01 *et seq.*), is amended as follows:

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

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

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

90 “(9B) “Ghost gun”:

91 “(A) Means:

92 “(i) A firearm that, after the removal of all parts other than a
93 receiver, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated
94 and operated to detect the Security Exemplar; or

95 “(ii) Any major component of a firearm which, when subjected to
96 inspection by the types of detection devices commonly used at secure public buildings and transit
97 stations, does not generate an image that accurately depicts the shape of the component; and

98 “(B) Includes an unfinished frame or receiver.”.

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

100 “(12B) “Receiver” means the part of a firearm that provides the action or housing
101 for the hammer, bolt, or breechblock and firing mechanism.”.

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

103 “(15A) “Security Exemplar” means an object, to be fabricated at the direction of
104 the Mayor, that is:

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

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

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

109 “(17B)(A) “Unfinished frame or receiver”:

110 “(i) Means a frame or receiver of a firearm that is not yet a
111 component part of a firearm, but which may without the expenditure of substantial time and effort
112 be readily made into an operable frame or receiver through milling, drilling, or other means; and

113 “(ii) Includes any manufactured object, any incompletely
114 manufactured component part of a firearm, or any combination thereof that is not a functional
115 frame or receiver but is designed, manufactured, assembled, marketed, or intended to be used for
116 that purpose, and can be readily made into a functional frame or receiver.

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

118 “(i) “Manufacture” means to fabricate, make, form, produce or
119 construct, by manual labor or by machinery; and

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

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

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

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

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

127 “(8) Ghost gun.”.

128 (c) Section 203 (D.C. Official Code § 7-2502.03) is amended as follows:

129 (1) Subsection (a)(15) is amended to read as follows:

130 “(15) Is not the subject of an ex parte extreme risk protection order issued pursuant
131 to section 1004 or a final extreme risk protection order issued pursuant to section 1003 or renewed
132 pursuant to section 1006.”.

133 (2) Subsection (f)(3) is amended as follows:

134 (A) Subparagraph (A) is amended to read as follows:

135 “(A)(i) Upon receipt of a petition filed under paragraph (1) of this
136 subsection, and for good cause shown, the court shall issue such orders as may be necessary to
137 obtain any mental health records and other information relevant for the purposes of the petition.
138 The order shall require the disclosure of records to the Office of the Attorney General so that the
139 Office of the Attorney General can conduct a search of the petitioner’s mental health records and
140 report its findings to the court as required by subparagraph (B) of this paragraph.

141 “(ii) The court shall order the Office of the Attorney General to file
142 a response to the petition. Within 60 days after the court’s order for a response, the Office of the

143 Attorney General shall file a response indicating whether the Office of the Attorney General
144 supports or opposes the petition.

145 “(iii) The court may, for good cause shown, extend in 30-day
146 increments the date by which the Office of Attorney General must file its response under sub-
147 subparagraph (ii) of this subparagraph.”.

148 (B) Subparagraph (B) is amended by striking the phrase “criminal history”
149 and inserting the phrase “criminal history and firearms eligibility” in its place.

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

153 (e) Section 705(b) (D.C. Official Code § 7-2507.05(b)) is amended by striking the phrase
154 “the United States Attorney and the Corporation Counsel for the District whether” and inserting
155 the phrase “the United States Attorney’s Office and the Office of Attorney General whether” in its
156 place.

157 (f) Section 712 (D.C. Official Code § 7-2507.11) is amended to read as follows:

158 “Sec. 712. The Mayor, pursuant to Title I of the District of Columbia Administrative
159 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
160 may issue rules to implement the provisions of this act. The proposed rules shall be submitted to
161 the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days
162 of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or
163 in part, by resolution within the 45-day review period, the proposed rules shall be deemed
164 approved.”.

165 (g) Section 1001(2)(A) (D.C. Official Code § 7-2510.01(2)(A)) is amended by striking the
166 phrase “relationship rendering the application of this title appropriate” and inserting the word
167 “relationship” in its place.

168 (h) Section 1002 (D.C. Official Code § 7-2510.02) is amended as follows:

169 (1) Subsection (a) is amended as follows:

170 (A) Paragraph (3) is amended by striking the semicolon and inserting the
171 phrase “; and” in its place.

172 (B) Paragraph (4) is repealed.

173 (2) Subsection (c) is amended to read as follows:

174 “(c)(1) The Office of the Attorney General may:

175 “(A) Intervene in the case and represent the interests of the District of
176 Columbia; or

177 “(B) At the request of the petitioner, provide individual legal representation
178 to the petitioner in proceedings under this title.

179 “(2) If the Office of the Attorney General intervenes in a case under paragraph
180 (1)(A) of this subsection, the intervention shall continue until:

181 “(A) The court denies the petition for a final extreme risk protection order
182 pursuant to section 1003;

183 “(B) The court terminates a final extreme risk protection order pursuant to
184 section 1008; or

185 “(C) The Office of the Attorney General withdraws from the intervention.”.

186 (3) Subsection (d) is amended to read as follows:

187 “(d) The court may place any record or part of a proceeding related to the issuance, renewal,
188 or termination of an extreme risk protection order under seal for good cause shown.”.

189 (4) A new subsection (e) is added to read as follows:

190 “(e) When computing a time period specified in this title, or in an order issued under this
191 title:

192 “(1) Stated in days or a longer unit of time:

193 “(A) Exclude the day of the event that triggers the time period;

194 “(B) Count every day, including intermediate Saturdays, Sundays and legal
195 holidays; and

196 “(C) Include the last day of the time period, but if the last day of the time
197 period specified falls on a Saturday, Sunday, a legal holiday, or a day on which weather or other
198 conditions cause the court to be closed, the time period specified shall continue to run until the end
199 of the next day that is not a Saturday, Sunday, legal holiday, or a day on which weather or other
200 conditions cause the court to be closed.

201 “(2) Stated in hours:

202 “(A) Begin counting immediately on the occurrence of the event that
203 triggers the time period;

204 “(B) Count every hour, including hours during intermediate Saturdays,
205 Sundays, and legal holidays; and

206 “(C) If the time period would end on a Saturday, Sunday, legal holiday, or
207 a day on which weather or other conditions cause the court to be closed, the time period shall
208 continue to run until the same time on the next day that is not a Saturday, Sunday, legal holiday,
209 or a day on which weather or other conditions cause the court to be closed.”.

210 (i) Section 1003 (D.C. Official Code § 7-2510.03) is amended as follows:

211 (1) Subsection (a)(2) is amended to read as follows:

212 “(2) The initial hearing shall be held within 14 days after the date the petition was
213 filed.”.

214 (2) Subsection (b) is amended as follows:

215 (A) Paragraph (1) is amended by striking the phrase “5 business days” and
216 inserting the phrase “7 days” in its place.

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

218 “(3) If the respondent is unable to be personally served after the court has set a new
219 hearing date and required new attempts at service pursuant to paragraph (2) of this subsection, the
220 court may dismiss the petition without prejudice.”.

221 (3) Subsection (d) is amended to read as follows:

222 “(d) Upon receipt of a petition filed under section 1002, and for good cause shown, the
223 court shall issue such orders as may be necessary to obtain any mental health records and other
224 information relevant for the purposes of the petition. The order shall require the disclosure of
225 records to the Office of the Attorney General so that it can conduct a search of the respondent’s
226 mental health records and report its findings to the court as required by this subsection. Before the
227 hearing for a final extreme risk protection order, the court shall order that the Office of the Attorney
228 General:

229 “(1) Conduct a reasonable search of all available records to determine whether the
230 respondent owns any firearms or ammunition;

231 “(2) Conduct a reasonable search of all available records of the respondent’s mental
232 health;

233 “(3) Perform a national criminal history and firearms eligibility background check
234 on the respondent; and

235 “(4) Submit its findings under this subsection to the court.”.

236 (4) The lead-in language for subsection (e) is amended by striking the phrase
237 “consider all relevant evidence,” and inserting the phrase “consider any exhibits, affidavits,
238 supporting documents, and all other relevant evidence,” in its place.

239 (5) Subsection (h)(6) is amended by striking the phrase “connected with a petition
240 filed under this title” and inserting the phrase “connected with this title” in its place.

241 (j) Section 1004 (D.C. Official Code § 7-2510.04) is amended as follows:

242 (1) Subsection (c) is amended as follows:

243 (A) The lead-in language for subsection (c) is amended by striking the
244 phrase “consider all relevant evidence,” and inserting the phrase “consider any exhibits, affidavits,
245 supporting documents, and all other relevant evidence,” in its place.

246 (B) Paragraph (4) is amended by striking the phrase “firearm by” and
247 inserting the phrase “firearm or other weapon by” in its place.

248 (2) Subsection (f) is amended by striking the phrase “to section” and inserting the
249 phrase “to this section” in its place.

250 (3) Subsection (g) is amended as follows:

251 (A) Paragraph (3) is amended to read as follows:

252 “(3) The date and time the order will expire;”.

253 (B) Paragraph (7) is amended to read as follows:

254 “(7) The procedures for the surrender of firearms, ammunition, registration
255 certificates, licenses to carry a concealed pistol, or dealer’s licenses in the respondent’s possession,
256 control, or ownership pursuant to section 1007; and”.

257 (4) Subsection (h) is amended to read as follows:

258 “(h) An ex parte extreme risk protection order issued pursuant to this section shall remain
259 in effect for an initial period not to exceed 14 days. The court may extend an ex parte extreme risk
260 protection order in additional 14-day increments for good cause shown.”.

261 (k) Section 1005 (D.C. Official Code § 7-2510.05) is amended as follows:

262 (1) Subsection (a) is amended as follows:

263 (A) Paragraph (2) is amended by striking the phrase “next business day”
264 and inserting the phrase “next day” in its place.

265 (B) Paragraph (3) is amended by striking the phrase “5 business days” and
266 inserting the phrase “7 days” in its place.

267 (C) Paragraph (4) is amended by striking the phrase “one business day” and
268 inserting the phrase “24 hours” in its place.

269 (2) Subsection (b) is amended by striking the phrase “order was addedsued” and
270 inserting the phrase “order was issued” in its place.

271 (l) Section 1006 (D.C. Official Code § 7-2510.06) is amended as follows:

272 (1) Subsection (c) is amended by striking the phrase “15 business days” and
273 inserting the phrase “21 days” in its place.

274 (2) Subsection (d)(4) is amended by striking the phrase “firearm by” and inserting
275 the phrase “firearm or other weapon by” in its place.

276 (m) Section 1007(a) (D.C. Official Code § 7-2510.07(a)) is repealed.

277 (n) New sections 1007a, 1007b, 1007c, and 1007d are added to read as follows:

278 “Sec. 1007a. Nature and issuance of search warrants.

279 “(a) If the court issues a final extreme risk protection order pursuant to section 1003, issues
280 an ex parte extreme risk protection order pursuant to section 1004, or renews a final extreme risk
281 protection order pursuant to section 1006, the court may issue an accompanying search warrant.
282 The search warrant may authorize a search to be conducted anywhere in the District of Columbia
283 and shall be executed pursuant to its terms.

284 “(b) A search warrant issued under this section may direct a search of any or all of the
285 following:

286 “(1) One or more designated or described places or premises;

287 “(2) One or more designated or described vehicles;

288 “(3) One or more designated or described physical objects; or

289 “(4) The respondent.

290 “(c) The search warrant shall authorize the search for, and seizure of, any firearms,
291 ammunition, registration certificates, licenses to carry a concealed pistol, or dealer’s licenses that
292 the respondent is prohibited from having possession or control of, purchasing, or receiving
293 pursuant to the terms of an extreme risk protection order issued or renewed under this title.

294 “(d) A search warrant issued under section 1007a may be addressed to a specific law
295 enforcement officer or to any classification of officers of the Metropolitan Police Department of
296 the District of Columbia or other agency authorized to make arrests or execute process in the
297 District of Columbia.

298 “(e) A search warrant issued under section 1007a shall contain:

299 “(1) The name of the issuing court, the name and signature of the issuing judge, and
300 the date of issuance;

301 “(2) If the search warrant is addressed to a specific officer, the name of that officer,
302 otherwise, the classifications of officers to whom the warrant is addressed;

303 “(3) A designation of the premises, vehicles, objects, or persons to be searched,
304 sufficient for certainty of identification;

305 “(4) A description of the property whose seizure is the object of the search warrant;

306 “(5) A direction that the search warrant be executed between 6 a.m. and 9:00 p.m.
307 or, where the court has found cause therefor, including one of the grounds set forth in section
308 1007b(c), an authorization for execution at any time of day or night; and

309 “(6) A direction that the search warrant and an inventory of any property seized
310 pursuant thereto be returned to the court within 72 hours after its execution.

311 “Sec. 1007b. Time of execution of search warrants.

312 “(a) A search warrant issued under section 1007a shall not be executed after the expiration
313 of the extreme risk protection order it accompanies, or after 10 days from the date the warrant was
314 issued, whichever is earlier.

315 “(b) The search warrant shall be returned to the court after its execution or expiration in
316 accordance with section 1007a(e)(6).

317 “(c) A search warrant issued under section 1007a may be executed on any day of the week
318 and, in the absence of express authorization in the warrant pursuant to subsection (c) of this section,
319 shall be executed only between 6 a.m. and 9:00 p.m.

320 “(d) If the court finds that there is probable cause to believe that the search warrant cannot
321 be executed between 6 a.m. and 9:00 p.m., the property sought is likely to be removed or destroyed

322 if not seized forthwith, or the property sought is not likely to be found except at certain times or in
323 certain circumstances, the court may include in the search warrant an authorization for execution
324 at any time of day or night.

325 “Sec. 1007c. Execution of search warrants.

326 “(a) An officer executing a search warrant issued under section 1007a directing a search of
327 a dwelling house or other building or a vehicle shall execute that search warrant in accordance
328 with 18 U.S.C. § 3109.

329 “(b) An officer executing a search warrant issued under section 1007a directing a search of
330 a person shall give, or make reasonable effort to give, notice of his identity and purpose to the
331 person, and, if such person thereafter resists or refuses to permit the search, such person shall be
332 subject to arrest by such officer pursuant to D.C. Official Code § 23-581(a) for violation of section
333 432a of the Revised Statutes of the District of Columbia, effective June 30, 2016 (D.C. Law 21-
334 125; D.C. Official Code § 22-405.01), or other applicable provision of law.

335 “(c)(1) An officer or agent executing a search warrant issued under section 1007a shall
336 write and subscribe an inventory setting forth the time of the execution of the search warrant and
337 the property seized under it.

338 “(2) If the search is of a person, a copy of the search warrant and of the return shall
339 be given to that person.

340 “(3) If the search is of a place, vehicle, or object, a copy of the search warrant and
341 of the return shall be given to the owner thereof or, if the owner is not present, to an occupant,
342 custodian, or other person present. If no person is present, the officer shall post a copy of the
343 warrant and of the return upon the premises, vehicle, or object searched.

344 “(d) A copy of the search warrant shall be filed with the court on the next court day after
345 its execution, together with a copy of the return.

346 “(e) An officer executing a search warrant issued under section 1007a directing a search of
347 premises or a vehicle may search any person therein to the extent reasonably necessary to:

348 “(1) Protect himself or others from the use of any weapon which may be concealed
349 upon the person; or

350 “(2) Find property enumerated in the warrant which may be concealed upon the
351 person.

352 “Sec. 1007d. Disposition of property.

353 “(a) A law enforcement officer or a designated civilian employee of the Metropolitan
354 Police Department who seizes property in the execution of a search warrant issued under section
355 1007a shall cause it to be safely kept until the property is returned to:

356 “(1) The respondent, upon the expiration of the extreme risk protection order that
357 the search warrant accompanied; or

358 “(2) A lawful owner, other than the respondent, claiming title to the property
359 pursuant to section 1007(d).

360 “(b) Nothing in subsection (a) of this section shall be construed to require the Metropolitan
361 Police Department to release property seized pursuant to a warrant to a person who did not legally
362 possess the property at the time it was taken.

363 “(c) No property seized shall be released or destroyed except in accordance with law and
364 upon order of a court or of the United States Attorney for the District of Columbia or the Office of
365 the Attorney General.”.

366 (o) Section 1008 (D.C. Official Code § 7-2510.08) is amended as follows:

367 (1) Subsection (a) is amended by striking the phrase “order in in effect” and
368 inserting the phrase “order is in effect” in its place.

369 (2) Subsection (c)(4) is amended by striking the phrase “firearm by” and inserting
370 “firearm or other weapon by” in its place.

371 (3) Subsection (f) is amended as follows:

372 (A) Paragraph (1) is amended as follows:

373 (i) Strike the phrase “upon the petitioner” and insert the phrase
374 “upon the petitioner and respondent” in its place.

375 (ii) A new paragraph (1A) is added to read as follows:

376 “(1A) If the petitioner or respondent was personally served in court when the
377 motion to terminate an extreme risk protection order was granted, the personal service requirement
378 of paragraph (1) of this subsection shall be waived with respect to the party served in court.”.

379 (B) Paragraph (2) is amended as follows:

380 (i) Strike the phrase “next business day” and insert the phrase “next
381 day” in its place.

382 (ii) Strike the phrase “the respondent” and insert the phrase “the
383 petitioner” in its place.

384 (C) Paragraph (3) is amended by striking the phrase “5 business days” and
385 inserting the phrase “7 days” in its place.

386 (D) Paragraph (4) is amended by striking the phrase “one business day” and
387 inserting the phrase “24 hours” in its place.

388 (p) Section 1010 (D.C. Official Code § 7-2510.10) is amended as follows:

389 (1) Subsection (a)(2) is amended by striking the phrase “available to any” and
390 inserting the phrase “available to the Superior Court of the District of Columbia, the Office of the
391 Attorney General, and any” in its place.

392 (2) Subsection (b) is amended by striking the phrase “Superior Court of the District
393 of Columbia” and inserting the phrase “Mayor, or the Mayor’s designee,” in its place.

394 Sec. 5. Section 501 of the Homeland Security, Risk Reduction, and Preparedness
395 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-
396 4251), is amended as follows:

397 (a) Subsection (b)(1) is amended by striking the phrase “following entities” and inserting
398 the phrase “following entities, of which one-third shall constitute a quorum” in its place.

399 (b) Subsection (c) is amended by striking the phrase “June 1, 2019” and inserting the phrase
400 “June 1, 2021” in its place.

401 Sec. 6. An Act To control the possession, sale, transfer, and use of pistols and other
402 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence,
403 and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*),
404 is amended as follows:

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

407 “(2B) “Ghost gun” shall have the same meaning as provided in section 101(9B) of
408 the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C.
409 Official Code § 7-2501.01(9B)).”.

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

413 Sec. 7. Section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles,
414 effective September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)), is amended to
415 read as follows:

416 “(a)(1) Except as provided in subsection (b)(1) of this section, a violation of section 2(b)
417 or section 3 shall be punishable by a civil fine of not more than \$50.

418 “(2)(A) Violations penalized under this subsection shall be adjudicated by the
419 Office of Administrative Hearings in accordance with Title II of the Marijuana Possession
420 Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C.
421 Official Code § 48-1211 *et seq.*); provided, that a person issued a notice of infraction shall not be
422 assessed any additional penalties other than the civil fine for the violation, including the penalties
423 described in sections 202(e) and 203(d) of the Marijuana Possession Decriminalization
424 Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code §§ 48-
425 1212(e) and 48-1213(d)).

426 “(B) The Office of Administrative Hearings, pursuant to Title I of the
427 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;
428 D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this paragraph.

429 “(3) Individuals authorized to issue notices of infractions for the violations
430 penalized under this subsection include any police officer with authority to make arrests within the
431 District, including members of the Metro Transit Police Department.”.

432 Sec. 8. Fiscal impact statement.

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

436 Sec. 9. Effective date.

437 This act shall take effect following approval by the Mayor (or in the event of veto by the
438 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
439 90 days, as provided for emergency acts of the Council of the District of Columbia in section
440 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
441 D.C. Official Code § 1-204.12(a)).

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