

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the Firearms Control Regulations Act of 1975 to clarify requirements involving ghost guns, to permit the possession of properly serialized self-manufactured firearms, and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Ghost Gun Clarification Temporary Amendment Act of 2022”.

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 amended to read as follows:

“(9B)(A) “Ghost gun”:

“(i) Means any of the following:

“(I) A firearm that, after the removal of grips, stocks, and magazines, is not as detectable as the Security Exemplar by walk-through metal detectors calibrated and operated to detect the Security Exemplar;

“(II) Any major component of a firearm that, 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; or

32 “(III) A firearm, including a frame or receiver, that lacks a
33 unique serial number engraved or cast on it by a licensed manufacturer or importer in accordance
34 with federal law, assigned by the agency of a State and permanently engraved or cast on the
35 firearm, or otherwise placed on the firearm in compliance with section 202; and

36 “(ii) Does not include:

37 “(I) A firearm that has been rendered permanently
38 inoperable;

39 “(II) A firearm manufactured or imported before December
40 16, 1968; or

41 “(III) A firearm identified as provided for under section 5842
42 of the Internal Revenue Code of 1986.

43 “(B) For the purposes of subparagraph (A)(i)(I) of this paragraph, the term
44 “firearm” does not include the frame or receiver of any such weapon.

45 “(C) For the purposes of subparagraph (A)(i)(II) of this paragraph, the term
46 “major component” with respect to a firearm:

47 “(i) Means the slide or cylinder or the frame or receiver of the
48 firearm; and

49 “(ii) In the case of a rifle or shotgun, includes the barrel of the
50 firearm.”.

51 (2) A new paragraph (10A) is added to read as follows:

52 “(10A) “Manufacture”:

53 “(A) Means to fabricate, make, form, produce or construct, by manual labor
54 or by machinery;

55 “(B) Includes assembling a functional firearm, or molding, machining, or
56 3D printing a frame or receiver; and

57 “(C) Does not include making or fitting special barrels, stocks, or trigger
58 mechanisms to firearms.”.

59 (3) A new paragraph (11A) is added to read as follows:

60 “(11A) “Permanently inoperable” means incapable of discharging a shot by means
61 of an explosive and incapable of being readily restored to a firing condition.”.

62 (4) Paragraph (12B) is amended to read as follows:

63 “(12B)(A) “Receiver” means a part of a firearm that, when the complete weapon is
64 assembled, is visible from the exterior and provides the housing or structure designed to hold or
65 integrate one or more fire control components, even if pins or other attachments are required to
66 connect those components to the housing or structure. Any such part identified with a serial number
67 shall be presumed, absent an official determination by the Bureau of Alcohol, Tobacco, Firearms,
68 and Explosives or other reliable evidence to the contrary, to be a frame or receiver.

69 “(B) For the purposes of this paragraph, the term “fire control component”
70 means a component necessary for the firearm to initiate, complete, or continue the firing sequence,
71 and includes a hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin,
72 striker, or slide rails.

73 “(C)(i) The term “receiver” shall not include a receiver that has been
74 destroyed.

75 “(ii) For the purposes of this subparagraph, a receiver is destroyed
76 if it has been permanently altered not to provide housing or a structure that may hold or integrate

77 any fire control or essential internal component, and may not readily be assembled, completed,
78 converted, or restored to a functional state.

79 “(D) For the purposes of this act, the term “frame” is synonymous with the
80 term “receiver”.”.

81 (5) Paragraph (17B) repealed.

82 (b) Section 202 (D.C. Official Code § 7-2502.02) is amended by adding a new subsection
83 (c) to read as follows:

84 “(c)(1) Notwithstanding subsection (a)(5) of this section, a registration certificate may be
85 issued for a self-manufactured firearm that is not prohibited under subsection (a)(1) through (4) or
86 (6) through (8) if:

87 “(A) The applicant meets the requirements of section 203; and

88 “(B) A unique serial number is engraved or cast on, or otherwise
89 permanently affixed to, the firearm in a manner that meets or exceeds the requirements imposed
90 on licensed importers and licensed manufacturers of firearms pursuant to subsection (i) of Section
91 923 of Title 18 of the United States Code and regulations issued pursuant thereto; provided, that a
92 serial number or mark of identification exceeds these requirements if the engraving, casting, or
93 stamping (impressing) of the serial number exceeds the required minimum depth or exceeds the
94 minimum print size of that provision.

95 “(2)(A) An applicant who meets the requirements of section 203 may register a
96 self-manufactured firearm that does not bear a serial number as described in paragraph (1)(B) of
97 this subsection, if, prior to finishing the frame or receiver, the applicant has caused a unique serial
98 number to be engraved, casted, stamped (impressed), or placed on the frame or receiver, as set
99 forth in subparagraphs (B) and (C) of this paragraph.

100 “(B) The serial number shall consist of the first and last name of the
101 self-manufacturer, followed by the designation “DC” and then a set of 2 to 5 numbers.

102 “(C) The set of numbers described in subparagraph (B) of this
103 paragraph shall not duplicate any serial number placed by the self-manufacturer on any other
104 firearm. The applicant shall, before engraving, casting, stamping (impressing), or placing a serial
105 number on the frame or receiver, confirm with the Metropolitan Police Department that the
106 proposed serial number has not already been registered to another firearm.”.

107 (c) Section 203(b)(10) (D.C. Official Code § 7-2502.03(b)(10)) is amended by striking the
108 phrase “The name” and inserting the phrase “For a firearm that is not self-manufactured pursuant
109 to section 202, the name” in its place.

110 (d) Section 206 (D.C. Official Code § 7-2502.06) is amended by adding a new subsection
111 (c) to read as follows:

112 “(c) Notwithstanding subsection (a) of this section, a person seeking a registration
113 certificate for a firearm that the person has self-manufactured shall file a registration application
114 within 5 business days of completing manufacture of the firearm.”.

115 (e) Section 401(a) (D.C. Official Code § 7-2504.01(a)) is amended to read as follows:

116 “(a) No person or organization shall engage in the business of manufacturing any firearm,
117 destructive device or parts thereof, or ammunition, within the District; provided, that:

118 “(1) Nothing in this section shall preclude persons not otherwise prohibited from
119 possessing firearms from making their own firearms solely for personal use (not for sale or
120 distribution) in accordance with this act, rules implementing this act, and any applicable federal
121 law or regulation; and

122 “(2) A person holding registration certificates may engage in hand loading,
123 reloading, or custom loading ammunition for his or her registered firearms; provided further, that
124 such person may not hand load, reload, or custom load ammunition for others.”.

125 (f) Section 408(a) (D.C. Official Code § 7-2504.08(a)) is amended as follows:

126 (1) Strike the phrase “No licensee” and insert the phrase “No person or
127 organization” in its place.

128 (2) Strike the phrase “firearm which” and insert the phrase “firearm, including a
129 frame or receiver, which” in its place.

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

133 (h) Section 504 (D.C. Official Code § 7-2505.04) is amended by adding a new subsection
134 (b-1) to read as follows:

135 “(b-1) Notwithstanding any other provision of this section, a person may lawfully:

136 “(1) Self-manufacture a pistol; and

137 “(2) Possess and own a pistol that the person self-manufactured pursuant to
138 paragraph (1) of this subsection and registered pursuant to section 202.”.

139 Sec. 3. Fiscal impact statement.

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

143 Sec. 4. Effective date.

144 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
145 the Mayor, action by the Council to override the veto), a 30-day period of congressional review as
146 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
147 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
148 Columbia Register.

149 (b) This act shall expire after 225 days of its having taken effect.