
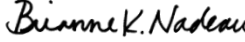


**COUNCIL OF THE DISTRICT OF COLUMBIA
OFFICE OF COUNCILMEMBER BROOKE PINTO, WARD 2
MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson  
FROM: Councilmembers Brooke Pinto and Brianne Nadeau
RE: Request to Agendize Emergency Measures for the June 6, 2023, Legislative Meeting
DATE: June 1, 2023

On behalf of the Mayor, we request that the following emergency measures be agendized for the June 6, 2023, Legislative Meeting:

- Office of Administrative Hearings Jurisdiction Emergency Declaration Resolution of 2023
- Office of Administrative Hearings Jurisdiction Emergency Amendment Act of 2023
- Office of Administrative Hearings Jurisdiction Temporary Amendment Act of 2023

Section 6(b-2) of the Office of Administrative Hearings Establishment Act of 2001 provides for the Office of Administrative Hearings (“OAH”) to adjudicate appeals involving firearm registration certificates but not those involving concealed pistol licenses, although both types of appeals arise under the Firearms Control Regulations Act of 1975. Currently, appeals of denials of an application for a concealed pistol license are reviewed by the Concealed Pistol Licensing Review Board, an independent review body established in 2015 via the License to Carry a Pistol Amendment Act of 2014.

On March 22, 2023, Mayor Bowser transmitted the Fiscal Year 2024 Local Budget Act of 2023 to the Council; the Mayor’s budget included a proposal to disband the Concealed Pistol Licensing Review Board and transfer its authority to review concealed pistol license application denial appeals to OAH. Shifting this authority to OAH as proposed by the Mayor would consolidate firearm-related appeal review processes, reduce administrative redundancies, and achieve other efficiencies. On May 30, 2023, the Council adopted the Fiscal Year 2024 Local Budget Act of 2023, which provides for this proposed shift—specifically, transferring funds and FTEs from the budget for the Concealed Pistol Licensing Review Board within the Deputy Mayor for Public Safety and Justice to the budget for the Office of Administrative Hearings, specifically to support adjudication of licensing appeals beginning October 1, 2023.

Legislative language is necessary, however, to formally effectuate this change; specifically, to repeal language establishing the Concealed Pistol Licensing Review Board and to provide the statutory authority for the Office of Administrative Hearings to exercise jurisdiction over both licensing appeals beginning October 1, 2023. While the Committee on the Judiciary and Public Safety and Committee on Public Works and Operations intend to consider permanent legislation effectuating this change, emergency legislation is necessary to ensure the aforementioned shift of authority is in effect as of October 1, 2023.

Members may also note that this emergency makes a small change to the statutory language at Section 6 governing OAH's authority to issue fines for violations of language in the code prescribing rights for blind and physically disabled persons. The Executive has shared with the Committees that this proposed language is a clarifying edit and merely relocates this provision within the statute to be adjacent to thematically similar provisions; the amendment is not intended to bring about any substantive change.

Drafts of the emergency measures are attached. If you have any questions, please contact Michael Porcello, Committee Director, at 724-7808 or mporcello@dccouncil.gov.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director
Mayor's Office of Policy and Legislative Affairs