

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Office of Administrative Hearings Establishment Act of 2001 to provide for the jurisdiction of the Office of Administrative Hearings to include certain cases to be decided under the Firearms Control Regulations Act of 1975.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Office of Administrative Hearings Jurisdiction Emergency Declaration Resolution of 2023”.

Sec. 2. (a) Section 6(b-2) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), provides for the Office of Administrative Hearings 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, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2501.01 *et seq.*).

(b) On May 30, 2023, the Council adopted Bill 25-203, the Fiscal Year 2024 Local Budget Act of 2023, which provides resources for the Office of Administrative Hearings that will enable it to adjudicate both registration and licensing appeals beginning October 1, 2023, which will promote a fair, clear, and efficient process for disposing of both types of appeals.

32 (c) The Office of Administrative Hearings Jurisdiction Emergency Amendment Act of
33 2023 is necessary to provide the statutory authority for the Office of Administrative Hearings to
34 exercise jurisdiction over both registration and licensing appeals beginning October 1, 2023.

35 Sec. 3. The Council of the District of Columbia determines that the circumstances
36 enumerated in section 2 constitute emergency circumstances making it necessary that the Office
37 of Administrative Hearings Jurisdiction Emergency Amendment Act of 2023 be adopted after a
38 single reading.

39 Sec. 4. This resolution shall take effect immediately.