

Brianne K. Nadeau

Councilmember Brianne K. Nadeau

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Firearms Control Regulations Act of 1975 to provide for the Chief of Police of the Metropolitan Police Department to have the burden of production and burden of persuasion in an appeal of the Chief's firearm registration certificate or concealed pistol license determination before the Office of Administrative Hearings.

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

Sec. 2. (a) On September 19, 2023, the Council passed the Office of Administrative Hearings Jurisdiction Clarification Emergency Amendment Act of 2023, effective October 11, 2023 (D.C. Act 25-237; 70 DCR 13794) ("emergency act"), which will expire on January 9, 2024.

(b) On October 3, 2023, the Council passed the Office of Administrative Hearings Jurisdiction Clarification Temporary Amendment Act of 2023, enacted on October 30, 2023 (D.C. Act 24-289; 70 DCR 14510) ("temporary act"), which is projected to become law on January 17, 2024.

(c) This emergency legislation is necessary to ensure that there is no gap between the expiration of the emergency act and the effective date of the temporary act.

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

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