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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 Firearms Control Regulations Act of 1975 to permit individuals to register a firearm for self-defense in their place of business, to provide a Freedom of Information Act exception, to specify application requirements for applying to carry a concealed pistol, to specify the duration of such licenses and certain requirements for renewal of licenses, to outline duties of licensees, to provide for revocation of licenses, to create a criminal offense of carrying while impaired, to specify prohibitions on licensees, to establish a Concealed Pistol Licensing Review Board and specify the term and other requirements for the Board, to provide a Freedom of Information Act exception; to specify penalties, to require the Mayor to issue rules, and to make other technical changes; and to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to permit the Chief of Police to issue licenses to carry a concealed pistol to District residents and non-residents provided certain conditions are met.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “License to Carry a Pistol Emergency Declaration Resolution of 2014”.

Sec. 2. (a) On July 24, 2014, the United States District Court for the District of Columbia issued a decision in the case of *Palmer v. District of Columbia*, finding the District’s

40 complete ban on the carrying of handguns in public is unconstitutional. This order was made
41 public on July 26, 2014.

42 (b) The Court's ruling enjoined the District from enforcing local law prohibiting the
43 carrying of firearms in public by District residents, and by non-residents based solely on the fact
44 that they are not residents of the District of Columbia.

45 (c) On July 28, 2014, the District filed a motion to stay the Court's ruling pending appeal
46 or, in the alternative, for 180 days. The District also asked the Court to grant an immediate stay
47 of its ruling while it evaluated this motion.

48 (d) In response, on July 29, 2014, the Court granted the District's motion for a stay, for
49 90 days or until October 22, 2014, in order to allow the Council an opportunity to enact
50 legislation consistent with the *Palmer* ruling.

51 (e) The "License to Carry a Pistol Emergency Amendment Act of 2014" reflects the
52 Council's response to the *Palmer* case.

53 (f) This legislation will create a scheme for the Chief of Police to issue licenses to carry
54 concealed pistols in the District to both residents and nonresidents.

55 (g) A permanent version of this legislation will be introduced simultaneously, in order to
56 allow the public full opportunity to comment on the measure with sufficient time for Council
57 approval before the end of the Council Period.

58 (h) Enacting the "License to Carry a Pistol Emergency Amendment Act of 2014"
59 immediately will ensure that the District has a system in place for law-abiding and qualifying
60 residents and nonresidents of the District to apply to carry a concealed pistol in compliance with
61 the Court's order in *Palmer*, and pending the approval of permanent legislation.

62 Sec. 3. The Council of the District of Columbia determines that the circumstances
63 enumerated in section 2 constitute emergency circumstances making it necessary that the
64 “License to Carry a Pistol Emergency Amendment Act of 2014” be adopted after a single
65 reading.

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