

A RESOLUTION

Proposed
Resolution
20-1043

See Emergency
D.C. Act 20-447
20 DCStat 4175

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 for a license to carry a concealed pistol, to specify the duration of such licenses and requirements for renewal of licenses, to establish 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, to specify penalties for violations, and to require the Mayor to issue rules; 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 authorize 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”.

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 (“Court”) issued a decision in the case of *Palmer v. District of Columbia*, finding the District’s complete ban on the carrying of handguns in public is unconstitutional. This order was made public on July 26, 2014.

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

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

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

(e) The License to Carry a Pistol Emergency Amendment Act of 2014, passed on emergency basis on September 23, 2014 (Enrolled version of Bill 20-926), reflects the Council’s response to the *Palmer* case.

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

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

(h) Enacting Bill 20-926, the License to Carry a Pistol Emergency Amendment Act of 2014, immediately will ensure that the District has a system in place for law-abiding and qualifying residents and nonresidents of the District to apply to carry a concealed pistol in compliance with the Court's order in *Palmer*, and pending the approval of permanent legislation.

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

Sec. 4. This resolution shall take effect immediately.