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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, 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 update definitions, 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, 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 specify penalties, to provide a Freedom of Information Act exception; 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, and to make other technical changes; and to require the Mayor or Chief of Police to issue rules.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “License to Carry a Pistol Temporary Amendment Act of 2014”.

Sec. 2. 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

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40 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-
41 4501 *et seq.*) is amended as follows:

42 (a) Section 1 (D.C. Official Code § 22-4501) is amended as follows:

43 (1) Redesignate paragraph (1) as paragraph (1B).

44 (2) Insert new paragraphs (1) and (1A) to read as follows:

45 “(1) “Chief” means the Chief of the Metropolitan Police Department.

46 “(1A) “Concealed pistol” means a loaded or unloaded pistol carried on or about a
47 person entirely hidden from view of the public, or carried on or about a person in a vehicle in
48 such a way as it is entirely hidden from view of the public.”.

49 (3) A new paragraph (3A) is added to read as follows:

50 “(3A) “Law enforcement officer” means a sworn member of the Metropolitan
51 Police Department (MPD) or of any other law enforcement agency operating and authorized to
52 make arrests in the District of Columbia, and includes any MPD reserve officer, any special
53 police officers appointed pursuant to An Act Making appropriations to provide for the expenses
54 of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen
55 hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-
56 129.02), and campus and university special police officers appointed pursuant to the College and
57 University Campus Security Amendment Act of 1995, effective October 18 ,1995 (D.C. Law 11-
58 63; 6A DCMR § 1200.1 *et seq.*)”.

59 (4) Redesignate paragraph (7A) as paragraph (7B).

60 (5) A new paragraph (7A) is added to read as follows:

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61 “(7A) “Public place” means a place to which the general public has access and a
62 right to occupy for business, entertainment, or other lawful purpose. “Public place” is not
63 limited to a place devoted solely to the uses of the public, and includes:

64 “(1) The front or immediate area or parking lot of a store, restaurant,
65 tavern, shopping center, or other place of business;

66 “(2) A public building, including its grounds and curtilage;

67 “(3) A public parking lot;

68 “(4) A public street, sidewalk, or right-of-way;

69 “(5) A public park; and

70 “(6) Other public grounds.”.

71 (b) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended as follows:

72 (1) The lead-in language is amended as follows:

73 (A) Strike the phrase “a pistol” and insert the phrase “a pistol, without a
74 license issued pursuant to District of Columbia law” in its place.

75 (B) Strike the phrase “capable of being so concealed”.

76 (2) Paragraph (1) is amended by striking the phrase “a pistol” and inserting the
77 phrase “a pistol, without a license issued pursuant to District of Columbia law” in its place.

78 (c) Section 6 (D.C. Official Code § 22-4506) is revived as of the effective date of the
79 “Carrying a Pistol with a License Emergency Amendment Act of 2014,” and is amended to read
80 as follows:

81 “Sec. 6. Issuance of a license to carry a pistol.

82 “(a) The Chief may, upon the application of any person having a bona fide residence or
83 place of business within the District of Columbia, or of any person having a bona fide residence

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84 or place of business within the United States and a license to carry a pistol concealed upon his or
85 her person issued by the lawful authorities of any State or subdivision of the United States, issue
86 a license to such person to carry a pistol concealed upon his or her person within the District of
87 Columbia for not more than 2 years from the date of issue, if it appears that the applicant has
88 good reason to fear injury to his or her person or property or has any other proper reason for
89 carrying a pistol, and that he or she is a suitable person to be so licensed.

90 “(b) For any person issued a license pursuant to subsections (a) or (b) of this section, or
91 renewed pursuant to section 6b, the Chief may limit the geographic area, circumstances, or times
92 of the day, week, month, or year in which the license is effective, and may revoke the license for
93 good cause.

94 “(c) The application for a license to carry shall be on a form prescribed by the Chief.
95 The license shall be in a form prescribed by the Chief and shall bear the name, address,
96 description, photograph, and signature of the licensee.

97 “(d) Any person whose application has been denied or license revoked may, within 15
98 days of notice of the denial, appeal to the Concealed Pistol Licensing Review Board established
99 pursuant to section 6g.”

100 (d) New sections 6a through 6j are added to read as follows:

101 “Sec. 6a. Application requirements.

102 “(a) A person who submits an application pursuant to section 6 shall certify and
103 demonstrate to the satisfaction of the Chief that he or she:

104 “(1) Is at least 21 years of age;

105 “(2) Meets all of the requirements for a person registering a firearm pursuant to
106 the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85;

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107 D.C. Official Code § 7-2501.01 *et seq.*), and has obtained a registration certificate pursuant to
108 that act for the pistol that the person is applying to carry concealed;

109 “(3) Does not currently suffer nor has suffered in the previous 5 years from any
110 mental illness or condition that creates a substantial risk that he or she is a danger to himself or
111 others;

112 “(4) Has completed a firearms training course, or combination of courses,
113 conducted by an instructor (or instructors) certified by the Chief that includes at least 16 hours of
114 training, and covers the following:

115 “(A) Firearm safety;

116 “(B) Firearm nomenclature;

117 “(C) The basic principles of marksmanship;

118 “(D) The care, cleaning, maintenance, loading, unloading, and storage of
119 pistols;

120 “(E) Situational awareness, conflict management, and moral and ethical
121 decisions on the use of deadly force;

122 “(F) Defensive pistol and ammunition selection; and

123 “(G) All applicable District and federal firearms laws, including the
124 requirements of the Firearms Control Regulations Act of 1975, effective September 24, 1975
125 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), this act, and District law pertaining to
126 self-defense;

127 “(5) Has completed at least two hours of range training conducted by an
128 instructor certified by the Chief, including shooting a qualification course of 50 rounds of
129 ammunition from a maximum distance of 15 yards (45 feet); and

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130 “(6) Follows any procedures the Chief may establish by rule.

131 “(b) An applicant shall satisfy the requirements of subsection (a)(4) and (5) with a
132 certification from the firearms instructor that:

133 “(1) The applicant demonstrated satisfactory completion of the requirement; and

134 “(2) The applicant possesses the proper knowledge, skills, and attitude to carry a
135 concealed pistol.

136 “(c) An applicant shall be exempt from the requirements of subsection (a)(4) and (5) if
137 he or she has submitted evidence that he or she has received firearms training in the United
138 States military, or has otherwise completed firearms training conducted by a firearms instructor
139 that, as determined by the Chief, is equal to or greater than that required under subsection (a)(4)
140 and (5).

141 “(d) An applicant for a license to carry a concealed pistol pursuant to section 6(b) of this
142 section may satisfy any component of the requirements of subsection (a)(4) and (5) by
143 demonstrating to the satisfaction of the Chief that the applicant has met that particular
144 component as part of a successful application to carry a pistol concealed upon his or her person
145 issued by the lawful authorities of any state or subdivision of the United States.

146 “(e)(1) An applicant shall sign an oath or affirmation attesting to the truth of all the
147 information required by section 6 and this section.

148 (2) Any declaration, certificate, verification, or statement made for purposes of
149 an application for a license to carry a concealed pistol pursuant to this act shall be made under
150 penalty of perjury pursuant to D.C. Code § 22-2402.

151 “(f) An applicant is required to appear for an in-person interview at the Metropolitan
152 Police Department headquarters, for purposes including verification of the applicant’s identity

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153 and verification of the information submitted as part of the application process for a license to
154 carry a concealed pistol pursuant to section 6 and this section.

155 “Sec. 6b. Expiration and renewal of licenses.

156 “(a) Licenses issued pursuant to section 6 shall expire no later than 2 years after the date
157 of issuance unless revoked by the Chief or renewed pursuant to this act.

158 “(b)(1) A licensee shall be eligible for renewal of a license to carry a concealed pistol if:

159 “(A) The licensee continues to meet all of the initial application
160 requirements set forth in sections 6 and 6a of this act, except that with regard to paragraph (4) of
161 subsection 6a(a) of this section, only 4 hours of such training shall be required;

162 “(B) With regard to paragraph (5) of subsection 6a(a) of this section, the
163 licensee provides proof of two hours or range practice within the previous 12 months; and

164 “(C) Follows any procedures the Chief may establish by rule.

165 “(2) Timely renewal shall be the responsibility of the licensee, pursuant to any
166 procedures the Chief may establish by rule.

167 “(3) A renewal license shall expire no later than 2 years after the date of issuance
168 unless revoked by the Chief or renewed pursuant to this act.

169 “(c) Any person whose renewal application has been denied may, within 15 days of
170 notice of the denial, appeal to the Concealed Pistol Licensing Review Board established pursuant
171 to section 6g.

172 “Sec. 6c. Duties of licensees.

173 “(a) A person holding a license issued pursuant to section 6 shall:

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174 “(1) Notify the Chief in writing of the loss, theft, or destruction of the license
175 (including the circumstances if known) immediately upon discovery of such loss, theft, or
176 destruction; and

177 “(2) Notify the Chief in writing within 30 days of a change in the licensee’s name
178 or address as it appears on the license.

179 “(b) A person who carries a concealed pistol licensed pursuant section 6 shall have on or
180 about his or her person each time the pistol is carried in the District of Columbia:

181 “(1) The license issued pursuant to section 6; and

182 “(2) The registration certificate for the pistol being carried, issued pursuant to the
183 Firearms Control Regulations Act of 1975, effective September 24, 1975 (D.C. Law 1-85; D.C.
184 Official Code § 7-2501.01 *et seq.*).

185 “(c) If a law enforcement officer initiates an investigative stop of a person carrying a
186 concealed pistol pursuant to section 6, the person, and any other licensee who is with the person
187 at the time of the investigative stop, shall:

188 “(1) Disclose to the officer that he or she is carrying a concealed pistol pursuant
189 to section 6;

190 “(2) Present the license and registration certificate;

191 “(3) Identify the location of the concealed pistol; and

192 “(4) Comply with all lawful orders and directions from the officer, including
193 allowing a pat down of his or her person and permitting the law enforcement officer to take
194 possession of the pistol for so long as is necessary for the safety of the officer or the public.

195 “(d) A person who holds a license to carry a concealed pistol issued pursuant to section
196 6 shall comply with all limits and conditions stated in the issuance of the license.

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197 “(e) The duties set forth in this section are in addition to any other requirements imposed
198 by this act or applicable law.

199 “(f) In addition to any other penalty in the law, any person who violates subsection (c) of
200 this section shall be subject to revocation of his or her license to carry a concealed pistol issued
201 pursuant to section 6.

202 “Sec. 6d. Revocation of Licenses.

203 “(a) The Chief may revoke a license issued pursuant to section 6 upon a finding that the
204 licensee no longer meets the requirements of sections 6 and 6a, or as a penalty as specified in this
205 act.

206 “(b) The United States Attorney for the District of Columbia, the Attorney General for
207 the District of Columbia, or any person may apply to the Metropolitan Police Department at any
208 time for revocation of any license issued pursuant to section 6. Any person having knowledge
209 that a licensee no longer meets the requirements of the Firearms Control Regulations Act of
210 1975, effective September 24, 1975 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*) or
211 the requirements of sections 6 and 6a of this act may so notify the Chief or any other law
212 enforcement officer who may take such action as may be appropriate.

213 “(c) Any person whose license has been revoked may, within 15 days of notice of the
214 revocation, appeal to the Concealed Pistol Licensing Review Board established pursuant to
215 section 6g.

216 “Sec. 6e. Carrying while impaired.

217 “(a)(1) A person who holds a license issued pursuant to section 6 may not carry a pistol
218 while the person is impaired.

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219 “(b) Any person who violates this section shall upon conviction be fined not more than
220 the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of
221 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01) or
222 imprisoned for not more than 180 days.

223 “(c) Upon establishing reasonable suspicion that a licensee has been consuming drugs or
224 alcohol, a licensee’s failure to submit to one or more field sobriety, breathalyzer, or urine tests,
225 administered to determine whether the licensee is impaired while carrying a pistol, shall be
226 grounds for immediate revocation of the license issued pursuant to section 6 and for the
227 immediate seizure of the license.

228 “(d) For the purposes of this section, “impaired” means a licensee has consumed alcohol
229 or a drug or a combination thereof and that it has affected the licensee’s behavior in a way that
230 can be perceived or noticed.

231 “Sec. 6f. Prohibitions on carrying licensed pistols.

232 “(a) No person holding a license issued pursuant to section 6 shall carry a pistol in the
233 following locations or under the following circumstances:

234 “(1) Any building owned or under the control of the District of Columbia, its
235 agencies, and instrumentalities;

236 “(2) The building and grounds, including any adjacent parking lot, of any public,
237 public charter, or private elementary or secondary school; or any public or private college or
238 university;

239 “(3) Any pre-school or child care facility;

240 “(4) Any public or private hospital, or other building where medical or mental
241 health services are the primary services provided;

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242 “(5) Any adult or juvenile correctional facility, including halfway houses;

243 “(6) Any public transportation vehicle, including the Metrorail transit system, but
244 not including taxicab operators;

245 “(7) Any premises or portion thereof, licensed under Title 25 of the District of
246 Columbia Official Code, where alcoholic beverages are served, or are sold and consumed on
247 premises;

248 “(8) Any public gathering or special event conducted on property open to the
249 public that requires the issuance of a permit from the District or federal government or their
250 agencies or instrumentalities, provided that no criminal penalty shall apply unless:

251 “(A) The licensee has been advised by a law enforcement officer that
252 such a public gathering or special event is occurring; and

253 “(B) The licensee has been ordered by the law enforcement officer to
254 leave the area of the special event or gathering until the licensee removes the pistol from his or
255 her possession in compliance with applicable law and the licensee has not complied with the
256 order;

257 “(9) Any stadium or arena;

258 “(10) Any area where firearms are prohibited under federal law or by a federal
259 agency or entity;

260 “(11) The area around the White House, namely: between Constitution Avenue
261 and H Street and between 15th and 17th Streets, all Northwest;

262 “(12) Within 1,000 feet, or other lesser distance designated by the Chief or his or
263 her designee, when a dignitary or high ranking official of the United States or a state, local, or
264 foreign government is under the protection of the Metropolitan Police Department, or other law

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265 enforcement agency assisting or working in concert with it, provided that no criminal penalty
266 shall apply unless:

267 “(A) The licensee has been advised by a law enforcement officer that
268 such a dignitary or official movement is occurring; and

269 “(B) The licensee has been ordered by the law enforcement officer to
270 leave the area of the movement until the licensee removes the pistol from his or her possession in
271 compliance with applicable law and the licensee has not complied with the order;

272 “(13) Within 1,000 feet, or other lesser distance designated by the Chief or his or
273 her designee, of a demonstration in a public place, provided that no criminal penalty shall apply
274 unless:

275 “(A) The licensee has been advised by a law enforcement officer that a
276 demonstration is occurring at the public place; and

277 “(B) The licensee has been ordered by the law enforcement officer to
278 leave the area of the demonstration until the licensee removes the pistol from his or her
279 possession in compliance with applicable law and the licensee has not complied with the order;
280 and

281 “(14) Any prohibited circumstance that the Chief determines by rule, provided
282 that for spontaneous circumstances, no criminal penalty shall apply unless the licensee has notice
283 of the prohibition and has failed to comply.

284 “(b)(1) Any private residence shall be presumed to prohibit the presence of firearms
285 unless otherwise authorized by the property owner or person in control of the premises and
286 communicated personally to the licensee in advance of entry onto the residential property.

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287 (2) For 90 days immediately following the effective date of the License to Carry
288 a Pistol Emergency Amendment Act of 2014, all private commercial property owners shall be
289 presumed to prohibit the presence of firearms unless the owner or authorized agent authorizes
290 entry by a licensee carrying a pistol; thereafter, all private commercial property owners shall be
291 presumed to permit a licensee to enter the owner’s property unless the property is posted with
292 conspicuous signage prohibiting firearms, or the owner or authorized agent communicates such
293 prohibition personally to the licensee.

294 “(c) Whenever a licensee carries a concealed pistol and approaches any prohibited
295 location, or is subject to any prohibited circumstance, the licensee shall:

296 “(1) If the licensee is in a vehicle or if a vehicle is readily available, immediately
297 secure the pistol in the manner prescribed in section 4b(b).

298 “(2) If the licensee does not have a vehicle available, immediately secure the
299 pistol in the manner prescribed in section 4b(c); or

300 “(3) Immediately leave the prohibited location or circumstance.

301 “(d) A licensee shall not be in violation of this section:

302 “(1) While he or she is traveling along a public right of way that touches or
303 crosses any of the premises under subsection (a) or that are prohibited under subsection (b) if the
304 concealed pistol is carried on his or her person in accordance with this act, or is being transported
305 in a vehicle by the licensee in accordance with section 4b(b); or

306 “(2) While driving a vehicle into and immediately parking at any location listed
307 in subsection (a)(2) or (3), for the purpose of picking up or dropping off a minor child, provided
308 that the licensee shall secure the concealed weapon in accordance with section 4b(b) of this act
309 prior to leaving the parked vehicle.

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310 “(e) A person holding a license issued pursuant to section 6 of this act shall not carry a
311 pistol openly or otherwise in a manner that is not concealed.

312 “(f) A person convicted of a violation of any provision of this section shall be fined not
313 more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment
314 Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01) or
315 imprisoned for not more than 180 days, and shall be subject to revocation of his or her license to
316 carry a concealed pistol issued pursuant to section 6.

317 “(g) For the purposes of this section:

318 “(1) “Demonstration” means one or more persons demonstrating, picketing,
319 speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves
320 the communication or expression of views or grievances and that has the effect, intent, or
321 propensity to attract a crowd or onlookers. “Demonstration” does not include the casual use of
322 property by visitors or tourists that does not have the effect, intent, or propensity to attract a
323 crowd or onlookers.

324 “(2) “Residence” means an actual dwelling place or abode, and does not include
325 any adjacent commercial private property.”.

326 “Sec. 6g. Concealed Pistol Licensing Review Board.

327 “(a) There is established a Concealed Pistol Licensing Review Board (Board) for the
328 purpose of hearing appeals from:

329 “(1) A denial of any application or renewal application for a license to carry a
330 concealed pistol in the District pursuant to this act, or

331 “(2) A revocation of a license to carry a concealed pistol.

332 “(b) The Board’s membership shall be comprised as follows:

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333 “(1) A mental health professional employed by the Department of Behavioral
334 Health, appointed by the Mayor;

335 “(2) A representative from the Office of the Attorney General for the District of
336 Columbia, appointed by the Attorney General;

337 “(3) A representative from the United States Attorney’s Office for the District of
338 Columbia (USAO), appointed by the United States Attorney for the District of Columbia. If the
339 USAO declines to provide a representative, the Mayor shall appoint a person who is a former
340 employee of the USAO;

341 “(4) The Chief Judge of the Superior Court of the District of Columbia or his or
342 her designee, or if the Chief Judge declines to serve or appoint a designee, a person appointed by
343 the Mayor who is a retired judge of the Superior Court of the District of Columbia; and

344 “(5) One public member appointed by the Mayor, who shall be a current or
345 former sworn officer of a law enforcement agency other than the Metropolitan Police
346 Department.

347 “(c) Each member shall serve a 4-year term.

348 “(d) The initial terms shall begin on the date a majority of the members have
349 been sworn in, which shall become the anniversary date for all subsequent appointments.

350 “(e) A vacancy on the Board shall be filled in the same manner in which the original
351 appointment was made.

352 “(f) A Board member whose term has expired may continue to serve as a member until a
353 replacement member has been appointed.

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356 “(g) A member appointed to replace a member who has resigned, dies, or is no longer
357 able to serve (as determined by the Board) shall serve for the remainder of the unexpired term of
358 the member being replaced.

359 “(h) The Board shall elect a chairperson by majority vote on an annual basis.

360 “(i) Three members of the Board shall constitute a quorum, except that the Board may
361 only take official action when at least one of the following members is present:

362 “(1) The representative from the Office of the Attorney General for the District of
363 Columbia designated pursuant to subsection (b)(2) of this section;

364 “(2) The representative from the United States Attorney’s Office for the District
365 of Columbia designated pursuant to subsection (b)(3) of this section; or

366 “(3) The current or former sworn officer of a law enforcement agency other than
367 the Metropolitan Police Department representative designated pursuant to subsection (b)(5) of
368 this section.

369 “(j) Members shall serve without compensation, but shall receive actual and necessary
370 expenses incurred in the performance of their official duties.

371 “(k) The Mayor shall provide hearing facilities and administrative support for the Board
372 from existing resources for the current fiscal year.

373 “(l)(1) Within 30 days after the date that a majority of the Board members are sworn in
374 pursuant to subsection (d) of this section, the Mayor, by rule, shall establish hearing procedures
375 for a contested case review of any appeal from a denial of an application or renewal application
376 for a license or revocation of a license issued pursuant to section 6, including procedures for the
377 Board to assign panels of 3 Board members to conduct such hearings pursuant to subsection (i)
378 of this section.

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379 “(2) The rules shall include that the burden of production of evidence, and the
380 burden of persuasion, at any hearing before the Board shall be upon the applicant or licensee that
381 is challenging any denial of an application or renewal application or revocation of a license.

382 “Sec. 6h. Penalties.

383 “(a) Except as otherwise provided in the License to Carry a Pistol Emergency
384 Amendment Act of 2014, any person convicted of a violation of sections 6a through 6f of this
385 act, or any violation of any regulation issued pursuant to section 4 of this act, shall upon
386 conviction be fined not more than the amount set forth in section 101 of the Criminal Fine
387 Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C.
388 Official Code § 22-3571.01) or imprisoned for not more than 90 days. Civil fines, penalties, and
389 fees may be imposed as alternative sanctions for any infraction of the provisions of sections 6a
390 through 6f of this act, or any rules or regulations issued under the authority of this chapter,
391 pursuant to Chapter 18 of Title 2.

392 “(b) All prosecutions for violations of sections 6a through 6f of this act shall be brought
393 in the name of the District of Columbia and prosecuted by the Office of the Attorney General for
394 the District of Columbia.

395 “Sec. 6i. Freedom of information exception.

396 “Any record regarding individuals who have applied, received, or had revoked any
397 license issued pursuant to section 6 of this act shall not be made available as a public record
398 under section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C.
399 Law 1-96; D.C. Official Code § 2-532).”.

400 “Sec. 6j. Rules.

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401 “(a) The Chief of the Metropolitan Police Department, pursuant to Title I of the District
402 of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.
403 Official Code § 2-501 *et seq.*), shall, by October 22, 2014, issue rules to implement the
404 provisions of this act, including rules:

405 “(1) To establish criteria for determining when an applicant has, pursuant to
406 section 6 of this act:

407 “(A) Demonstrated a good reason to fear injury to his or her person,
408 which shall at a minimum require a showing of a special need for self-protection distinguishable
409 from the general community as supported by evidence of specific threats or previous attacks
410 which demonstrate a special danger to the applicant’s life;

411 “(B) Demonstrated any other proper reason for carrying a concealed
412 pistol, which shall at a minimum include types of employment that require the handling of cash
413 or other valuable objects that may be transported upon the person of the applicant; and

414 “(C) Demonstrated the applicant’s suitability to carry a concealed pistol,
415 which shall at a minimum include evidence that the applicant meets the requirements of section
416 6a of this act;

417 “(2) To establish the type and amount of ammunition that may be carried
418 concealed by a licensee;

419 “(3) To establish the methods by which a pistol may be carried concealed
420 including any standards for safe holstering;

421 “(4) To establish all application forms, investigation procedures, background
422 checks, and fees necessary to process an application for a license pursuant to sections 6 and 6a
423 of this act;

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424 “(5) To specify any procedures or requirements specific to non-residents, who
425 apply to carry a concealed pistol pursuant to section 6(b) of this act, with regard to the
426 registration requirements in the Firearms Control Regulations Act of 1975, effective September
427 24, 1975 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*);

428 “(6) To specify requirements for signage on any private premises where the
429 owner or person in control of the premises prohibits carrying concealed pistols, pursuant to
430 section 6f(b) of this act; and

431 “(7) To establish any procedures for the renewal of licenses issued pursuant to
432 section 6 of this act.

433 Sec. 3. The Firearms Control Regulations Act of 1975, effective September 24, 1976
434 (D.C. Law 1-85, D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

435 (a) Section 201(b)(4) (D.C. Official Code § 7-2502.01(b)(4)) is amended by striking the
436 phrase “the home” and inserting the phrase “the home or place of business” in its place.

437 (b) Section 202(a)(4)(C) (D.C. Official Code § 7-2502.02(a)(4)(C)) is amended to read
438 as follows:

439 “(C) Any person who seeks to register a pistol:

440 “(1) For use in self-defense within that person’s home or place of business; or

441 “(2) As part of the application process for a license to carry a concealed pistol
442 pursuant to sections 6 and 6a of An Act To control the possession, sale, transfer and use of
443 pistols and other dangerous weapons in the District of Columbia, to provide penalties, to
444 prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C.
445 Official Code § 22-4506 and § 22-4506a); or”.

446 (c) New section 211a is added to read as follows:

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447 “Sec. 211a. Freedom of information exception.

448 “Any record regarding individuals who have applied, received, or had revoked any
449 registration issued pursuant to this act shall not be made available as a public record under
450 section 202 of the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-
451 96; D.C. Official Code § 2-532).”.

452 Sec. 4. Applicability.

453 (a) Section 2(b) of this act shall apply as of the effective date of this act to persons who
454 have not obtained a registration certificate pursuant to section 203 of the Firearms Control
455 Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85, D.C. Official Code § 7-
456 2502.03(a)), and shall apply beginning on the date established by subsection (c) of this section to
457 persons who have obtained a registration certificate.

458 (b) Section 4 of this act shall apply as of the effective date of this act.

459 (c) All other provisions of this act shall apply on the date that rules issued pursuant to
460 section 4 of this act have become effective.

461 Sec. 5. Fiscal impact.

462 The Council adopts the fiscal impact statement in the committee report as the fiscal
463 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
464 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

465 Sec. 6. Effective date.

466 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
467 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review
468 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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469 24, 1973 (87 Stat.813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
470 Columbia Register.

471 (b) This act shall expire after 225 days of its having taken effect.