
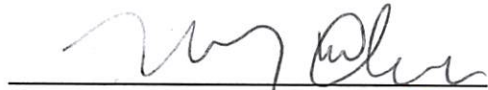




1 
2 Chairman Phil Mendelson


Councilmember Charles Allen

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6 Councilmember Mary M. Cheh


Councilmember Elissa Silverman

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10 Councilmember Kenyan R. McDuffie


Councilmember David Grosso

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12 A BILL
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17 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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21 To amend the Firearms Control Regulations Act of 1975 to establish a judicial review process for
22 individuals who apply for a firearms registration certificate and have, within the 5-year
23 period preceding the application, been committed to a mental hospital, institution, or
24 facility by the Superior Court of the District of Columbia or a District board, commission
25 or lawful authority, or have been found to be incapacitated.
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27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 act may be cited as the "Relief from Firearms Disqualification Amendment Act of 2017".

29 Sec. 2. Section 203 of the Firearms Control Regulations Act of 1975, effective September
30 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2502.03), is amended as follows:

31 (a) Subsection (a) is amended as follows:

32 (1) Paragraph (6) is amended to read as follows:

33 "(6)(A) Within the 5-year period immediately preceding the application, has not
34 been:

35 "(i) Committed or detained to a mental hospital by the Superior
36 Court of the District of Columbia ("Court") or the District Commission on Mental Health; or

37 “(ii) Determined to be an incapacitated individual as defined in §
38 21-2011(11).

39 “(B) Notwithstanding subparagraph (A) of this paragraph, an applicant may
40 be authorized to register a firearm if:

41 “(i) The applicant is not subject to another firearms restriction or
42 disqualifier under District or federal law; and

43 “(ii) The Court, pursuant to subparagraph (C) of this paragraph,
44 grants the applicant relief from a firearms disqualification under subparagraph (A) of this
45 paragraph.

46 “(C) An applicant who seeks relief under this paragraph shall file a petition
47 for relief with the Clerk of the Court that includes the following:

48 “(i) A complete and accurate statement explaining the reason the
49 applicant was disqualified from registering a firearm in the preceding 5-year period pursuant to
50 subparagraph (A) of this paragraph;

51 “(ii) A statement explaining why the applicant should no longer be
52 disqualified under subparagraph (A) of this paragraph;

53 “(iii) A certificate issued within 30 days prior to submission of the
54 petition for relief on a form approved by the Court and signed by a licensed physician, psychiatrist,
55 or psychologist stating:

56 “(I) The length of time that the applicant has not had
57 symptoms or engaged in behaviors that cause the applicant to be a danger to the applicant or others;

81 “(ii) Immediately after receiving a copy of the order for relief,
82 MPD shall trigger the removal of the record from the National Instant Criminal Background Check
83 System and any local system used to determine firearm registration eligibility.”.

84 Sec. 3. Fiscal impact statement.

85 The Council adopts the fiscal impact statement in the committee report as the fiscal impact
86 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
87 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

88 Sec. 4. Effective date.

89 This act shall take effect following approval by the Mayor (or in the event of veto by the
90 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
91 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
92 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of
93 Columbia Register.