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A BILL
23-287

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, the District of Columbia Mental Health Information Act of 1978 to authorize mental health professionals to disclose mental health information when necessary to request an extreme risk protection order and to require the disclosure of mental health information to the Office of Attorney General in response to a court order; to amend the Firearms Control Regulations Act of 1975 to authorize the Mayor to issue rules, subject to Council review, to implement provisions of the Firearms Control Regulations Act of 1975; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to create a quorum requirement for the Comprehensive Homicide Elimination Strategy Task Force and extend its report submission deadline; to amend the Act to Regulate Public Conduct on Public Passenger Vehicles to designate certain violations of the act civil pedestrian offenses, and to authorize Metro Transit Police Department officers to issue notices of infractions for alleged civil violations; to amend Title 18 of the District of Columbia Municipal Regulations to include a civil fine schedule for violations of the Act to Regulate Public Conduct on Public Passenger Vehicles; to amend the District of Columbia Traffic Adjudication Act of 1978 to make conforming changes; and to amend the Firearms Safety Omnibus Amendment Act of 2018 to prohibit the issuance of a firearm registration certificate to the subject of an extreme risk protection order, to require the Superior Court for the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for relief from disqualifications from firearm registration, to clarify that the Office of Attorney General may intervene and represent the interests of the District of Columbia with respect to petitions for extreme risk protection orders or provide individual legal representation, upon request, to a petitioner, to broaden the court’s ability to place records related to extreme risk protection orders under seal, to establish procedures for computing periods of time relating to an extreme risk protection order, to provide for the use of calendar days instead of business days for timelines related to extreme risk protection orders, to require that the court consider the unlawful or reckless use, display, or brandishing of any weapon by the respondent in determining whether to issue an extreme risk protection order, to require that the initial hearing for a petition for a final extreme risk protection order be held within 14 days after the petition was filed, to require the Superior Court for the District of Columbia, for good cause

42 shown, to issue such orders as may be necessary to obtain mental health records and other
43 relevant information for the purposes of petitions for an extreme risk protection order, to
44 modify the duration of ex parte extreme risk protection orders, to establish procedures for
45 the issuance and execution of search warrants accompanying extreme risk protection
46 orders, to add the Office of Attorney General and the Superior Court for the District of
47 Columbia to the list of entities that shall receive from the Metropolitan Police
48 Department information related to extreme risk protection orders, to require the Mayor or
49 the Mayor’s designee to submit information about extreme risk protection orders to the
50 National Instant Criminal Background Check System for the purposes of firearm
51 purchaser background checks.

52
53 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
54 act may be cited as the “Firearms Safety Omnibus Clarification Temporary Amendment Act of
55 2019”.

56 Sec. 2. The District of Columbia Mental Health Information Act of 1978, effective March
57 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1204.01 *et seq.*), is amended as follows:

58 (a) Section 402 (D.C. Official Code § 7-1204.02) is amended to read as follows:

59 “Sec. 402. Civil commitment proceedings; Extreme risk protection orders.

60 “Mental health information may be disclosed by a mental health professional when and to
61 the extent necessary to:

62 “(1) Initiate or seek civil commitment proceedings under D.C. Official Code § 21-
63 541; or

64 “(2) Request an extreme risk protection order under Title X of the Firearms
65 Control Regulations Act of 1975, enacted on January 30, 2019 (D.C. Act 22-620; 66 DCR
66 1672).”.

67 (b) Section 403 (D.C. Official Code § 7–1204.03) is amended by adding a new
68 subsection (c) to read as follows:

69 “(c) Mental health information shall be disclosed to the Office of the Attorney General
70 for the District of Columbia in response to a court order issued pursuant to section
71 203(f)(3)(A)(i) of the Firearms Control Regulations Act of 1975, effective September 24, 1976
72 (D.C. Law 1-85; D.C. Official Code § 7-2502.03(f)(3)(A)(i)), or section 1003(d)(2) of the
73 Firearms Control Regulations Act of 1975, enacted on January 30, 2019 (D.C. Act 22-620; 66
74 DCR 1672).”.

75 Sec. 3. The Firearms Control Regulations Act of 1975, effective March 31, 2009 (D.C.
76 Law 17-372; D.C. Official Code § 7–2501.01 *et seq.*), is amended as follows:

77 (a) Section 705(b) (D.C. Official Code § 7–2507.05) is amended by striking the phrase
78 “the United States Attorney and the Corporation Counsel for the District whether” and inserting
79 the phrase “the United States Attorney’s Office and the Office of Attorney General whether” in
80 its place.

81 (b) Section 712 (D.C. Official Code § 7–2507.11) is amended to read as follows:

82 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
83 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue
84 rules to implement the provisions of this act. The proposed rules shall be submitted to the
85 Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of
86 Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in

87 part, by resolution within the 45-day review period, the proposed rules shall be deemed
88 approved.”.

89 Sec. 4. Section 501 of the Homeland Security, Risk Reduction, and Preparedness
90 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-
91 4251), is amended as follows:

92 (a) Subsection (b)(1) is amended by striking the phrase “following entities” and inserting
93 the phrase “following entities, of which one-third shall constitute a quorum” in its place.

94 (b) Subsection (c) is amended by striking the phrase “June 1, 2019” and inserting the
95 phrase “June 1, 2020” in its place.

96 Sec. 5. Section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles,
97 effective September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)), is amended to
98 read as follows:

99 “(a)(1) Except as provided in subsection (b)(1) of this section, a violation of section 2(b)
100 or section 3 shall be punishable by a civil fine of not more than \$50.

101 “(2) Violations penalized under this subsection shall constitute a pedestrian
102 offense for purposes of section 301 of the District of Columbia Traffic Adjudication Act of 1978,
103 effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2303.01).

104 “(3) Individuals authorized to issue notices of infractions for the violations
105 penalized under this subsection include any police officer with authority to make arrests within
106 the District, including members of the Metro Transit Police Department.”.

ENGROSSED ORIGINAL

107 Sec. 6. Section 2603.1 of Title 18 of the District of Columbia Municipal Regulations is
108 amended by adding new infractions to read as follows:

109 “Smoke or carry a lighted or smoldering pipe, cigar, or cigarette (D.C. Official Code §
110 35-251(b)(1)) \$50.00

111 “Consume food or beverages (D.C. Official Code § 35-251(b)(2)) \$50.00

112 “Spit (D.C. Official Code § 35-251(b)(3)) \$50.00

113 “Discard litter (D.C. Official Code § 35-251(b)(4)) \$50.00

114 “Play any radio, musical instrument, or similar device, unless it is connected to an
115 earphone that limits the sound to the individual user (D.C. Official Code § 35-251(b)(5))
116 \$50.00

117 “Carry any animals, except for guide dogs properly harnessed and small animals properly
118 contained (D.C. Official Code § 35-251(b)(7)) \$50.00

119 “Stand in front of the line marked on the forward end of the floor of any bus or otherwise
120 conduct themselves in such a manner as to obstruct the vision of the operator (D.C. Official Code
121 § 35-251(b)(8)) \$50.00

122 “Operate or chain to any fence, tree, railing, or other structure not specifically designated
123 for such use, skateboards, rollerblades, roller skates, non-motorized scooters, bicycles, tricycles,
124 or unicycles (D.C. Official Code § 35-251(b)(9)) \$50.00

125 “Park, operate, carry, wheel, or chain to any fence, tree, railing, or other structure not
126 specifically designated for such use, mopeds, motorbikes, or any similar vehicle (D.C. Official
127 Code § 35-251(b)(10)) \$50.00

128 “Board a public or private passenger vehicle for hire, including vehicles owned or
129 operated by the Washington Metropolitan Area Transit Authority, without paying the established
130 fare or presenting a valid transfer and without emergency circumstances (D.C. Official Code §
131 35-252(1)(A)) \$50.00

132 “Board a rail transit car owned or operated by the Washington Metropolitan Area Transit
133 Authority without paying the established fare or presenting a valid transfer and without
134 emergency circumstances (D.C. Official Code § 35-252(1)(B)) \$50.00

135 “Enter or leave the fare-paid area of a rail transit station owned or operated by the
136 Washington Metropolitan Area Transit Authority without paying the established fare or
137 presenting a valid transfer and without emergency circumstances (D.C. Official Code § 35-
138 252(1)(C)) \$50.00

139 “Board a public or private passenger vehicle for hire, including vehicles owned or
140 operated by the Washington Area Metropolitan Transit Authority, through the rear exit door,
141 unless so directed by an employee or agent of the carrier (D.C. Official Code § 35-252(2))
142 \$50.00.”.

143 Sec. 7. Section 307(b) of the District of Columbia Traffic Adjudication Act of 1978,
144 effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2303.07(b)), is
145 amended as follows:

146 (a) The existing text is designated as paragraph (1).

147 (b) A new paragraph (2) is added to read as follows:

148 “(2) This subsection shall not apply to a pedestrian offense penalized under
149 section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles, effective
150 September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)).”.

151 Sec. 8. Section 2 of the Firearms Safety Omnibus Amendment Act of 2018, enacted on
152 January 30, 2019 (D.C. Act 23-620; 66 DCR 1672), is amended as follows:

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

154 (1) The amendatory section 203(a)(15) contained within paragraph (1)(G) is
155 amended to read as follows:

156 “(15) Is not the subject of an ex parte extreme risk protection order issued
157 pursuant to section 1004 or a final extreme risk protection order issued pursuant to section 1003
158 or renewed pursuant to section 1006.”.

159 (2) The amendatory section 203(f)(3) contained within paragraph (2) is amended
160 as follows:

161 (A) Subparagraph (A) is amended to read as follows:

162 “(3)(A)(i) Upon receipt of a petition filed under paragraph (1) of this subsection,
163 and for good cause shown, the court shall issue such orders as may be necessary to obtain any
164 mental health records and other information relevant for the purposes of the petition. The order
165 shall require the disclosure of records to the Office of the Attorney General so that the Office of
166 the Attorney General can conduct a search of the petitioner’s mental health records and report its
167 findings to the court as required by subparagraph (B) of this paragraph.

168 “(ii) The court shall order the Office of the Attorney General to file
169 a response to the petition. Within 60 days after the court’s order for a response, the Office of the
170 Attorney General shall file a response indicating whether the Office of the Attorney General
171 supports or opposes the petition.

172 “(iii) The court may, for good cause shown, extend in 30-day
173 increments the date by which the Office of Attorney General must file its response under sub-
174 subparagraph (ii) of this paragraph.”.

175 (B) Subparagraph (B) is amended by striking the phrase “criminal history”
176 and inserting the phrase “criminal history and firearms eligibility” in its place.

177 (b) Subsection (c)(2) is amended to read as follows:

178 “(2) Subsection (b) is amended as follows:

179 “(A) Strike the phrase “under this section or pursuant to section 210(c)(1)”
180 and insert the phrase “under this section, section 210(c)(1), or section 1009(c)” in its place.

181 “(B) Strike the phrase “Corporation Counsel for the District” and insert
182 the phrase “Office of the Attorney General” in its place.”.

183 (c) Subsection (e) is amended as follows:

184 (1) The amendatory section 1001 is amended as follows:

185 (A) A new paragraph (1A) is added to read as follows:

186 “(1A) “Hours of daylight” means between 6:00 a.m. and 9:00 p.m.”.

187 (B) Paragraph (2)(A) is amended by striking the phrase “relationship
188 rendering the application of this title appropriate” and inserting the word “relationship” in its
189 place.

190 (2) The amendatory section 1002 is amended as follows:

191 (A) Subsection (a) is amended as follows:

192 (i) Paragraph (3) is amended by striking the semicolon and
193 inserting the phrase “; and” in its place.

194 (ii) Paragraph (4) is repealed.

195 (B) Subsection (c) is amended to read as follows:

196 “(c)(1) The Office of the Attorney General may:

197 “(A) Intervene in the case and represent the interests of the District of
198 Columbia; or

199 “(B) At the request of the petitioner, provide individual legal
200 representation to the petitioner in proceedings under this title.

201 “(2) If the Office of the Attorney General intervenes in a case under paragraph

202 (1)(A) of this subsection, the intervention shall continue until:

203 “(A) The court denies the petition for a final extreme risk protection order
204 pursuant to section 1003;

205 “(B) The court terminates a final extreme risk protection order pursuant to
206 section 1008; or

207 “(C) The Office of the Attorney General withdraws from the
208 intervention.”.

209 (C) Subsection (d) is amended to read as follows:

210 “(d) The court may place any record or part of a proceeding related to the issuance,
211 renewal, or termination of an extreme risk protection order under seal for good cause shown.”.

212 (D) A new subsection (e) is added to read as follows:

213 “(e) When computing a time period specified in this title, or in an order issued under this
214 title:

215 “(1) Stated in days or a longer unit of time:

216 “(A) Exclude the day of the event that triggers the time period;

217 “(B) Count every day, including intermediate Saturdays, Sundays and
218 legal holidays; and

219 “(C) Include the last day of the time period, but if the last day of the time
220 period specified falls on a Saturday, Sunday, a legal holiday, or a day on which weather or other
221 conditions cause the court to be closed, the time period specified shall continue to run until the
222 end of the next day that is not a Saturday, Sunday, legal holiday, or a day on which weather or
223 other conditions cause the court to be closed.

224 “(2) Stated in hours:

225 “(A) Begin counting immediately on the occurrence of the event that
226 triggers the time period;

227 “(B) Count every hour, including hours during intermediate Saturdays,
228 Sundays, and legal holidays; and

229 “(C) If the time period would end on a Saturday, Sunday, legal holiday, or
230 a day on which weather or other conditions cause the court to be closed, the time period
231 continues to run until the same time on the next day that is not a Saturday, Sunday, legal holiday,
232 or a day on which weather or other conditions cause the court to be closed.”.

233 (3) The amendatory section 1003 is amended as follows:

234 (A) Subsection (a)(2) is amended to read as follows:

235 “(2) The initial hearing shall be held within 14 days after the date the petition was
236 filed.”.

237 (B) Subsection (b) is amended as follows:

238 (i) Paragraph (1) is amended by striking the phrase “5 business
239 days” and inserting the phrase “7 days” in its place.

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

241 “(3) If the respondent is unable to be personally served after the court has set a
242 new hearing date and required new attempts at service pursuant to paragraph (2) of this
243 subsection, the court may dismiss the petition without prejudice.”.

244 (C) Subsection (d) is amended to read as follows:

245 “(d) Upon receipt of a petition filed under section 1002, and for good cause shown, the
246 court shall issue such orders as may be necessary to obtain any mental health records and other
247 information relevant for the purposes of the petition. The order shall require the disclosure of

248 records to the Office of the Attorney General so that it can conduct a search of the respondent's
249 mental health records and report its findings to the court as required by this subsection. Before
250 the hearing for a final extreme risk protection order, the court shall order that the Office of the
251 Attorney General:

252 “(1) Conduct a reasonable search of all available records to determine whether the
253 respondent owns any firearms or ammunition;

254 “(2) Conduct a reasonable search of all available records of the respondent's
255 mental health;

256 “(3) Perform a national criminal history and firearms eligibility background check
257 on the respondent; and

258 “(4) Submit its findings under this subsection to the court.”.

259 (D) The lead-in language for subsection (e) is amended by striking the
260 phrase “consider all relevant evidence,” and inserting the phrase “consider any exhibits,
261 affidavits, supporting documents, and all other relevant evidence,” in its place.

262 (E) Subsection (h)(6) is amended by striking the phrase “connected with a
263 petition filed under this title” and inserting the phrase “connected with this title” in its place.

264 (4) The amendatory section 1004 is amended as follows:

265 (A) Subsection (c) is amended as follows:

266 (i) The lead-in language for subsection (c) is amended by striking
267 the phrase “consider all relevant evidence,” and inserting the phrase “consider any exhibits,
268 affidavits, supporting documents, and all other relevant evidence,” in its place.

269 (ii) Paragraph (4) is amended by striking the phrase “firearm by”
270 and inserting the phrase “firearm or other weapon by” in its place.

271 (B) Subsection (f) is amended by striking the phrase “to section” and
272 inserting the phrase “to this section” in its place.

273 (C) Subsection (g) is amended as follows:

274 (i) Paragraph (3) is amended to read as follows:

275 “(3) The date and time the order will expire;”.

276 (ii) Paragraph (7) is amended to read as follows:

277 “(7) The procedures for the surrender of firearms, ammunition, registration
278 certificates, licenses to carry a concealed pistol, or dealer’s licenses in the respondent’s
279 possession, control, or ownership pursuant to section 1007; and”.

280 (D) Subsection (h) is amended to read as follows:

281 “(h) An ex parte extreme risk protection order issued pursuant to this section shall remain
282 in effect for an initial period not to exceed 14 days. The court may extend an ex parte extreme
283 risk protection order in additional 14-day increments for good cause shown.”.

284 (5) The amendatory section 1005(a) is amended as follows:

285 (A) Paragraph (2) is amended by striking the phrase “next business day”
286 and inserting the phrase “next day” in its place.

287 (B) Paragraph (3) is amended by striking the phrase “5 business days” and
288 inserting the phrase “7 days” in its place.

289 (C) Paragraph (4) is amended by striking the phrase “one business day”
290 and inserting the phrase “24 hours” in its place.

291 (6) The amendatory section 1006 is amended as follows:

292 (A) Subsection (c) is amended by striking the phrase “15 business days”
293 and inserting the phrase “21 days” in its place.

294 (B) Subsection (d)(4) is amended by striking the phrase “firearm by” and
295 inserting the phrase “firearm or other weapon by” in its place.

296 (7) The amendatory section 1007(a) is repealed.

297 (8) New sections 1007a, 1007b, 1007c, and 1007d are added to read as follows:

298 “Sec. 1007a. Nature and issuance of search warrants.

299 “(a) If the court issues a final extreme risk protection order pursuant to section 1003,
300 issues an ex parte extreme risk protection order pursuant to section 1004, or renews a final
301 extreme risk protection order pursuant to section 1006, the court may issue an accompanying
302 search warrant. The search warrant may authorize a search to be conducted anywhere in the
303 District of Columbia and shall be executed pursuant to its terms.

304 “(b) A search warrant issued under this section may direct a search of any or all of the
305 following:

306 “(1) One or more designated or described places or premises;

307 “(2) One or more designated or described vehicles;

308 “(3) One or more designated or described physical objects; or

309 “(4) The respondent.

310 “(c) The search warrant shall authorize the search for, and seizure of, any firearms,
311 ammunition, registration certificates, licenses to carry a concealed pistol, or dealer’s licenses that
312 the respondent is prohibited from having possession or control of, purchasing, or receiving
313 pursuant to the terms of an extreme risk protection order issued or renewed under this title.

314 “(d) A search warrant issued under section 1007a may be addressed to a specific law
315 enforcement officer or to any classification of officers of the Metropolitan Police Department of
316 the District of Columbia or other agency authorized to make arrests or execute process in the
317 District of Columbia.

318 “(e) A search warrant issued under section 1007a shall contain:

319 “(1) The name of the issuing court, the name and signature of the issuing judge,
320 and the date of issuance;

321 “(2) If the search warrant is addressed to a specific officer, the name of that
322 officer, otherwise, the classifications of officers to whom the warrant is addressed;

323 “(3) A designation of the premises, vehicles, objects, or persons to be searched,
324 sufficient for certainty of identification;

325 “(4) A description of the property whose seizure is the object of the search
326 warrant;

327 “(5) A direction that the search warrant be executed during the hours of daylight
328 or, where the court has found cause therefor, including one of the grounds set forth in section
329 1007b(c), an authorization for execution at any time of day or night; and

330 “(6) A direction that the search warrant and an inventory of any property seized
331 pursuant thereto be returned to the court within 72 hours after its execution.

332 “Sec. 1007b. Time of execution of search warrants.

333 “(a) A search warrant issued under section 1007a shall not be executed after the
334 expiration of the extreme risk protection order it accompanies, or after 10 days from the date the
335 warrant was issued, whichever is earlier.

336 “(b) The search warrant shall be returned to the court after its execution or expiration in
337 accordance with section 1007a(e)(6).

338 “(c) A search warrant issued under section 1007a may be executed on any day of the
339 week and, in the absence of express authorization in the warrant pursuant to subsection (c) of this
340 section, shall be executed only during the hours of daylight.

341 “(d) If the court finds that there is probable cause to believe that the search warrant
342 cannot be executed during the hours of daylight, the property sought is likely to be removed or
343 destroyed if not seized forthwith, or the property sought is not likely to be found except at certain
344 times or in certain circumstances, the court may include in the search warrant an authorization
345 for execution at any time of day or night.

346 “Sec. 1007c. Execution of search warrants.

347 “(a) An officer executing a search warrant issued under section 1007a directing a search
348 of a dwelling house or other building or a vehicle shall execute that search warrant in accordance
349 with 18 U.S.C. § 3109.

350 “(b) An officer executing a search warrant issued under section 1007a directing a search
351 of a person shall give, or make reasonable effort to give, notice of his identity and purpose to the
352 person, and, if such person thereafter resists or refuses to permit the search, such person shall be
353 subject to arrest by such officer pursuant to D.C. Official Code § 23-581(a) for violation of
354 section 432a of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-
355 405.01), or other applicable provision of law.

356 “(c)(1) An officer or agent executing a search warrant issued under section 1007a shall
357 write and subscribe an inventory setting forth the time of the execution of the search warrant and
358 the property seized under it.

359 “(2) If the search is of a person, a copy of the search warrant and of the return
360 shall be given to that person.

361 “(3) If the search is of a place, vehicle, or object, a copy of the search warrant and
362 of the return shall be given to the owner thereof or, if the owner is not present, to an occupant,
363 custodian, or other person present. If no person is present, the officer shall post a copy of the
364 warrant and of the return upon the premises, vehicle, or object searched.

365 “(d) A copy of the search warrant shall be filed with the court on the next court day after
366 its execution, together with a copy of the return.

367 “(e) An officer executing a search warrant issued under section 1007a directing a search
368 of premises or a vehicle may search any person therein to the extent reasonably necessary to:

369 “(1) Protect himself or others from the use of any weapon which may be
370 concealed upon the person; or

371 “(2) Find property enumerated in the warrant which may be concealed upon the
372 person.

373 “Sec 1007d. Disposition of property.

374 “(a) A law enforcement officer or a designated civilian employee of the Metropolitan
375 Police Department who seizes property in the execution of a search warrant issued under section
376 1007a shall cause it to be safely kept until the property is returned to:

377 “(1) The respondent, upon the expiration of the extreme risk protection order that
378 the search warrant accompanied; or

379 “(2) A lawful owner, other than the respondent, claiming title to the property
380 pursuant to section 1007(d).

381 “(b) Nothing in subsection (a) of this section shall be construed to require the
382 Metropolitan Police Department to release property seized pursuant to a warrant to a person who
383 did not legally possess the property at the time it was taken.

384 “(c) No property seized shall be released or destroyed except in accordance with law and
385 upon order of a court or of the United States Attorney for the District of Columbia or the Office
386 of the Attorney General.”.

387 (9) The amendatory section 1008 is amended as follows:

388 (A) Subsection (a) is amended by striking the phrase “order in in effect”
389 and inserting the phrase “order is in effect” in its place.

390 (B) Subsection (c)(4) is amended by striking the phrase “firearm by” and
391 inserting “firearm or other weapon by” in its place.

392 (C) Subsection (f) is amended as follows:

393 (i) Paragraph (1) is amended as follows:

394 (I) Strike the phrase “upon the petitioner” and insert the
395 phrase “upon the petitioner and respondent” in its place.

396 (II) A new paragraph (1A) is added to read as follows:

397 “(1A) If the petitioner or respondent was personally served in court when the
398 motion to terminate an extreme risk protection order was granted, the personal service
399 requirement of paragraph (1) of this subsection shall be waived with respect to the party served
400 in court.”.

401 (ii) Paragraph (2) is amended as follows:

402 (I) Strike the phrase “next business day” and insert the
403 phrase “next day” in its place.

404 (II) Strike the phrase “the respondent” and insert the phrase
405 “the petitioner” in its place.

406 (iii) Paragraph (3) is amended by striking the phrase “5 business
407 days” and inserting the phrase “7 days” in its place.

408 (iv) Paragraph (4) is amended by striking the phrase “one business
409 day” and inserting the phrase “24 hours” in its place.

410 (10) The amendatory section 1010(a)(2) is amended by striking the phrase
411 “available to any” and inserting the phrase “available to the Superior Court for the District of
412 Columbia, the Office of the Attorney General, and any” in its place.

413 Sec. 9. Fiscal impact statement.

414 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
415 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
416 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

417 Sec. 10. Effective date.

418 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
419 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
420 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
421 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
422 Columbia Register.

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