

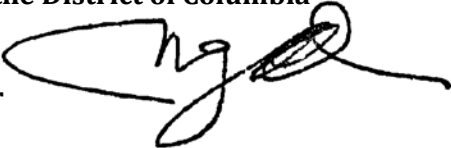
Government of the District of Columbia  
Office of the Chief Financial Officer



**Natwar M. Gandhi**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Kwame R. Brown  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi   
Chief Financial Officer

**DATE:** February 29, 2012

**SUBJECT:** Fiscal Impact Statement – “Firearms Amendment Act of 2012”

**REFERENCE:** Bill 19-614, Committee Print as shared with OCFO on February 27, 2012

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**Conclusion**

Funds are sufficient in the FY 2012 through FY 2015 budget and financial plan to implement the bill.

**Background**

In 2008, the Supreme Court held the District of Columbia’s ban on handgun possession in one’s home was a violation of the Second Amendment.<sup>1</sup> Thus, the Council of the District of Columbia passed the Firearms Registration Amendment Act of 2008<sup>2</sup> to legalize the registration of a handgun for in-home possession for self-defense. The Metropolitan Police Department (MPD) facilitates firearms registration in the District for both residents and security personnel.<sup>3</sup>

The bill amends the Firearms Control Regulations Act of 1975.<sup>4</sup> The main components reduce or eliminate some restrictions associated with possessing a firearm in the District, alter the registration renewal process, and designate certain firearm related violations as infractions. Examples of these provisions include:

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<sup>1</sup> *District of Columbia et al. v. Heller*, 554 U.S. 570 (2008).

<sup>2</sup> Effective March 31, 2009 (D.C. Law 17-372; D.C. Official Code §§ 2-1831.03 and 7-2501.01 *et seq.*).

<sup>3</sup> See the MPD firearms registration website

([http://mpdc.dc.gov/mpdc/cwp/view.a,1237,q,547431.mpdNav\\_GID,1523.mpdNav,.asp](http://mpdc.dc.gov/mpdc/cwp/view.a,1237,q,547431.mpdNav_GID,1523.mpdNav,.asp)).

<sup>4</sup> Effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*)

- Allowing an individual to temporarily possess a firearm during a training and safety class in the District;
- Eliminating the needs to reaffirm knowledge of District firearms laws for each subsequent firearms registration and to fulfill a background check every six years;
- Repealing the need for a ballistics identification on a registered firearm and for a registrant to pass a vision test;
- Requiring MPD to take a digital photo of a registrant rather than requiring the submission of a photo;
- Expanding the number of options for a registrant to show or obtain appropriate firearms training;<sup>5</sup> and
- Allowing the possession of any legal ammunition by a valid registrant<sup>6</sup>, including temporary possession during a training and safety class.

The bill also adjusts the registration renewal requirements to ensure there are multiple ways for a registrant to submit a renewal and delays the renewal requirement until January 2014. Current law requires comprehensive registration renewal procedures to be completed by March 2012.<sup>7</sup>

The bill designates that a non-resident found in violation of possessing an unregistered firearm or ammunition<sup>8</sup> or possessing a single restricted bullet shall be prosecuted as an infraction with a maximum penalty of \$500.

Lastly, the bill allows for (but does not mandate) the District to register as a federal firearms licensee (FFL). A FFL is a person or business licensed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives as a manufacturer, dealer, or importer of firearms. Currently the District has one FFL which is privately held and operates out of MPD headquarters.<sup>9</sup> The bill authorizes the Mayor to seek FFL status in the event there is no commercially active<sup>10</sup> FFL in the District.

### **Financial Plan Impact**

Funds are sufficient in the FY 2012 through FY 2015 budget and financial plan to implement the bill.

The provisions that reduce or eliminate some of the restrictions for firearm possession in the District are unlikely to have a significant financial impact.

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<sup>5</sup> Current law requires four hours of classroom instruction and one hour of training at a firing range. The bill's options include a training and safety class provided by the MPD Chief, military training, a license from another state, or successful completion of a private firearms training or safety course, provided the latter two options have equal or greater training requirements as the District.

<sup>6</sup> Current law (D.C. Official Code § 7-2506.01(a)(3)) requires the ammunition to be the same gauge or caliber as the registered firearm.

<sup>7</sup> D.C. Official Code § 7-2502.07a.

<sup>8</sup> So long as the violator is not concurrently being charged with another criminal offense.

<sup>9</sup> The private FFL does not sell firearms. It facilitates the transfer of handguns owned or purchased outside the District into the District.

<sup>10</sup> Defined as a person or business holding a federal firearms license and open for business to the general public to receive and transfer handguns for third parties into the District.

The Honorable Kwame R. Brown

FIS: B19-614, "Firearms Amendment Act of 2012," Committee Print as shared with OCFO on February 27, 2012

Should the District choose to register as an FFL, it may have to pay for registration costs, but such costs must be accounted for in the budget prior to registration. Additionally, the District accommodated the private FFL in 2011 to facilitate firearms transfer and the District prefers and would continue to foster the private sector in this capacity in the future.<sup>11</sup>

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<sup>11</sup> Based on a February 2, 2012 conversation with MPD.