


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



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: November 30, 2010

SUBJECT: Fiscal Impact Statement – “Criminal Code Amendments Act of 2010”

REFERENCE: Bill Number 18-963, Draft Committee Print Shared with the OCFO on November 18, 2010

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend various provisions of the criminal code. Most of these amendments are technical changes to current law, and will not be detailed in this fiscal impact statement. Some of the proposed larger changes are described below:

- Delay the start date from January 1, 2011 to January 1, 2013 for requirements that certain semiautomatic pistols be microstamp-ready.^{1, 2}
- Make it unlawful for a person to arrange to engage in a sexual act or sexual contact with an individual who is or who is represented to be a child³ at least four years younger than the person, and impose a penalty of not more than 10 years or a fine not to exceed \$100,000, or both for doing so.⁴

¹ “Microstamp-ready” means a semiautomatic pistol that is manufactured to produce a unique alpha-numeric or geometric code on at least 2 locations on each expended cartridge case that identifies the make, model, and serial number of the pistol.

² Amends the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*).

³ Child means a person who has not yet attained the age of 16 years.

⁴ Amends the Anti-Sexual Abuse Amendment Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001 *et seq.*).

- Authorize a law enforcement officer to arrest a person without a warrant if the officer has probable cause to believe the person has committed the offense of misdemeanor sexual abuse or misdemeanor sexual abuse of a child or minor.⁵
- Allow a youth offender's conviction that has been set aside upon the unconditional discharge of the committed youth before the expiration of his or her sentence to be used for gun offender registration and for determining whether a person has been in possession of a firearm in violation D.C. Official Code § 22-4503.⁶

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. The proposed legislation would make a number of technical amendments to criminal code and, as a result, would not have an impact on the District's budget and financial plan.

⁵ Amends D.C. Official Code § 23-581.

⁶ Amends the Youth Rehabilitation Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-906(f)).