



D.C. Criminal Code Reform Commission

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ADVISORY GROUP MEMORANDUM #24

To: Code Revision Advisory Group
From: Criminal Code Reform Commission (CCRC)
Date: August 5, 2019
Re: Supplemental Materials to the First Draft of Report #39

This Advisory Group Memorandum (Memo) supplements the First Draft of Report #39, *Weapon Offenses and Related Provisions* (Report) with relevant information on the organization and scope of the Report and various background materials.

There is considerable overlap between the regulations in current DCMR Title 24, Chapter 23 (guns and other weapons); D.C. Code Title 7, Chapter 25 (firearms control); and D.C. Code Title 22, Chapter 45 (weapons and possession of weapons).

Attached as Appendix A to this memo is a red-inked collection of weapons statutes that shows how the Commission's recommendations would change the text in the DCMR and in Title 7. Current D.C. Code statutory text that would be unchanged is in black ink. Red ink with strikethrough indicates current D.C. Code statutory text that would be repealed. Red ink without strikethrough (clean) indicates CCRC recommended conforming amendments and the new statutory language presented in the First Draft of Report #39. No changes are recommended to any other statutes in in the DCMR and in Title 7.

Attached as Appendix B to this memo is a table indicating where each existing weapons offense statute has been replaced in the Revised Criminal Code.

Attached as Appendix C to this memo is a red-inked collection of RCC statutes that shows how the Commission's recommendations have changed earlier drafts of revised statutory language.

Attached as Appendix D to this memo is a clean compilation of the statutory text for the revised weapons offenses, without accompanying commentary.

APPENDIX A: COMPILATION OF AMENDED OR REPEALED STATUTES

D.C. Code § 7-2502.01. Registration requirements.

- (a) ~~Except as otherwise provided in this unit, no person or organization in the District of Columbia ("District") shall receive, possess, control, transfer, offer for sale, sell, give, or deliver any destructive device, and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm.~~¹ A registration certificate may be issued:

(1) To an organization if:

- (A) The organization employs at least 1 commissioned special police officer or employee licensed to carry a firearm whom the organization arms during the employee's duty hours; and
(B) The registration is issued in the name of the organization and in the name of the president or chief executive officer of the organization;

(2) In the discretion of the Chief of Police, to a police officer who has retired from the Metropolitan Police Department;

(3) In the discretion of the Chief of Police, to the Fire Marshal and any member of the Fire and Arson Investigation Unit of the Fire Prevention Bureau of the Fire Department of the District of Columbia, who is designated in writing by the Fire Chief, for the purpose of enforcing the arson and fire safety laws of the District of Columbia;

(4) To a firearms instructor, or to an organization that employs a firearms instructor, for the purpose of conducting firearms training; or

(5) To a person who complies with, and meets the requirements of, this unit.

~~(b) Subsection (a) of this section shall not apply to:~~

~~(1) Any law enforcement officer or agent of the District or the United States, or any law enforcement officer or agent of the government of any state or subdivision thereof, or any member of the armed forces of the United States, the National Guard or organized reserves, when such officer, agent, or member is authorized to possess such a firearm or device while on duty in the performance of official authorized functions;~~

~~(2) Any person holding a dealer's license; provided, that the firearm or destructive device is:~~

~~(A) Acquired by such person in the normal conduct of business;~~

~~(B) Kept at the place described in the dealer's license; and~~

~~(C) Not kept for such person's private use or protection, or for the protection of his business;~~

~~(3) With respect to firearms, any nonresident of the District participating in any lawful recreational firearm-related activity in the District, or on his way to or from such activity in another jurisdiction; provided, that such~~

¹ Replaced by RCC § 7E-2502.01, Possession of an Unregistered Firearm or Ammunition.

~~person, whenever in possession of a firearm, shall upon demand of any member of the Metropolitan Police Department, or other bona fide law enforcement officer, exhibit proof that he is on his way to or from such activity, and that his possession or control of such firearm is lawful in the jurisdiction in which he resides; provided further, that such weapon shall be transported in accordance with § 22-4504.02;~~

~~(4) Any person who temporarily possesses a firearm registered to another person while in the home or place of business of the registrant; provided, that the person is not otherwise prohibited from possessing firearms and the person reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to himself or herself; or~~

~~(5) Any person who temporarily possesses a firearm while participating in a firearms training and safety class conducted by a firearms instructor.~~

~~(c) For the purposes of subsection (b)(3) of this section, the term “recreational firearm-related activity” includes a firearms training and safety class.²~~

² Replaced by RCC § 22E-4118, Exclusions from Liability for Weapons Offenses.

D.C. Code § 7-2507.02. Responsibilities regarding storage of firearms.

(a) It shall be the policy of the District of Columbia that each registrant should keep any firearm in his or her possession unloaded and either disassembled or secured by a trigger lock, gun safe, locked box, or other secure device.

~~(b) No person shall store or keep any firearm on any premises under his control if he knows or reasonably should know that a minor is likely to gain access to the firearm without the permission of the parent or guardian of the minor unless such person:~~

~~(1) Keeps the firearm in a securely locked box, secured container, or in a location which a reasonable person would believe to be secure; or~~

~~(2) Carries the firearm on his person or within such close proximity that he can readily retrieve and use it as if he carried it on his person.~~

~~(c)~~

~~(1) A person who violates subsection (b) of this section is guilty of criminally negligent storage of a firearm and, except as provided in paragraph (2) of this subsection, shall be fined not more than \$1,000, imprisoned not more than 180 days, or both.~~

~~(2) A person who violates subsection (b) of this section and the minor causes injury or death to himself or another shall be fined not more than \$5,000, imprisoned not more than 5 years, or both.~~

~~(3) The provisions of paragraphs (1) and (2) of this subsection shall not apply if the minor obtains the firearm as a result of an unlawful entry or burglary to any premises by any person.~~

~~(c-1) The provisions of § 7-2507.06 shall not apply to this section.~~

~~(d) For the purposes of this section, the term "minor" shall mean a person under the age of 18 years.³~~

³ Replaced by RCC § 7E-2507.02, Unlawful Storage of a Firearm.

D.C. Code § 7-2507.06. Penalties.

(a) Except as provided in §§ ~~7E-2502.01~~,⁴ 7-2502.05, 7-2502.08, 7-2507.02, 7-2508.07, and subchapter IX of this chapter [§ 7-2509.01 et seq.], any person convicted of a violation of any provision of this unit shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 1 year, or both; except that:

(1) A person who knowingly or intentionally sells, transfers, or distributes a firearm, destructive device, or ammunition to a person under 18 years of age shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.

~~(2)-~~

~~(A) Except as provided in subparagraph (B) of this paragraph, any person who is convicted a second time for possessing an unregistered firearm shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 5 years, or both.~~⁵

~~(B) A person who in the person's dwelling place, place of business, or on other land possessed by the person, possesses a pistol, or firearm that could otherwise be registered, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 1 year, or both.~~⁶

~~(3)-~~

~~(A) A person convicted of possessing more than one restricted pistol bullet in violation of § 7-2506.01(a)(3) may be sentenced to imprisonment for a term not to exceed 10 years and shall be sentenced to imprisonment for a mandatory minimum term of not less than 1 year and shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory minimum sentence, and, in addition, may be fined not more than the amount set forth in § 22-3571.01.~~⁷

~~(B) A person convicted of possessing a single restricted pistol bullet in violation of § 7-2506.01(a)(3) shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 1 year, or both.~~⁸

~~(b)-~~

~~(1) For the following violations of this unit, the prosecution may, in the operation of its discretion, offer an administrative disposition whereby a person may immediately resolve his or her case upon payment of a fine, in an amount set by the Board of Judges of the Superior Court of the District~~

⁴ Replaced by RCC § 7E-2502.01, Possession of an Unregistered Firearm or Ammunition.

⁵ Replaced by RCC § 7E-2502.01, Possession of an Unregistered Firearm or Ammunition.

⁶ Replaced by RCC § 7E-2502.01, Possession of an Unregistered Firearm or Ammunition.

⁷ Replaced by RCC § 22E-4101, Possession of a Prohibited Weapon or Accessory.

⁸ Replaced by RCC § 22E-4101, Possession of a Prohibited Weapon or Accessory.

~~of Columbia; provided, that the person is not concurrently charged with another criminal offense arising from the same event, other than an offense pursuant to § 7-2502.01 or § 7-2506.01:~~

- ~~(A) Possession of an unregistered firearm pursuant to § 7-2502.01;~~
 - ~~(B) Unlawful possession of ammunition (but not possession of more than one restricted pistol bullet) pursuant to § 7-2506.01;~~
 - ~~(C) Possession of a single restricted pistol bullet pursuant to § 7-2507.06(a)(3)(B); provided, that the person did not also possess a firearm at the time of arrest;~~
 - ~~(D) Possession of a self-defense spray in violation of § 7-2502.13; and~~
 - ~~(E) Possession of a stun gun in violation of § 7-2502.15.~~
- ~~(2) In determining whether to offer an administrative disposition pursuant to this subsection, the prosecution, in the operation of its discretion, may consider, among other factors, whether at the time of his or her arrest, the person was a resident of the District of Columbia and whether the person had knowledge of § 7-2502.01, § 7-2506.01, or § 7-2507.06(a)(3)(B).~~
- ~~(3) An administrative disposition pursuant to this subsection is not a conviction of a crime and shall not be equated to a criminal conviction. The fact that a person resolved a charge through an administrative disposition pursuant to this subsection may not be relied upon by any court of the District of Columbia or any agency of the District of Columbia in any subsequent criminal, civil, or administrative proceeding or administrative action to impose any sanction, penalty, enhanced sentence, or civil disability.~~
- ~~(4) At the time of the prosecution's offer of an administrative disposition, the person may elect to proceed with the criminal case in lieu of an administrative disposition.~~
- ~~(5) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2 [§ 2-501 et seq.], may issue rules to implement the provisions of this subsection. The rules may provide procedures and criteria to be used in determining when the prosecution, in the operation of its discretion, may offer the option of an administrative disposition pursuant to this subsection.⁹~~

⁹ Replaced by RCC §§ 7E-2502.01(f)(3), Possession of an Unregistered Firearm, Destructive Device, or Ammunition and 7E-2502.15(e)(2), Possession of a Stun Gun.

D.C. Code § 7-2508.01. Definitions.

For the purposes of this subchapter, the term:

(1) “Correctional facility” means any building or group of buildings and concomitant services operated as a single management unit by the Department of Corrections, or a similar federal, state, county, or local government agency, or a contractor to such an agency, for the purpose of housing and providing services to persons ordered confined pending trial or sentencing, or incarcerated following sentencing for a violation of law.

(2) “Gun offender” means a person:

(A) Convicted at any time of a gun offense in the District;

(B) Convicted at any time of a gun offense who resides in the District within the registration period established pursuant to § 7-2508.02;

(C) Who has as a mandatory condition of release a registration requirement in the District pursuant to § 7-2508.04(f).

(3) “Gun offense” means:

(A) A conviction for the sale, purchase, transfer, receipt, acquisition, possession, use, manufacture, carrying, transportation, registration, or licensing of a firearm under Chapter ~~45~~ 41 of Title 22E [~~§ 22-4501 et seq.~~], or an attempt or conspiracy to commit any of the foregoing offenses;

(B) A conviction for violating § 7-2502.01, § 7-2504.01, § 7-2505.01, or ~~§ 7-2506.01~~, or an attempt or conspiracy to commit any of the foregoing offenses;

(B-i) A conviction for a firearms-related violation of the provisions § ~~22-402 (assault with a dangerous weapon)~~ 22E-1202, § ~~22-2603.02 (unlawful possession of contraband)~~ 22E-3403, or § ~~22-2803(b) (carjacking)~~ 22E-1201; or

(C) Violations in other jurisdictions of any offense with an element that involves the violations listed in subparagraphs (A), (B), or (B-i) of this paragraph.

(4) “Resides” means to stay overnight in the District of Columbia for an aggregate period of time exceeding 30 days in any calendar year.

~~D.C. Code § 22-4515. Penalties.~~

~~Any violation of any provision of this chapter for which no penalty is specifically provided shall be punished by a fine of not more than the amount set forth in § 22-3571.01 or imprisonment for not more than 1 year, or both.~~¹⁰

¹⁰ Replaced by RCC § 22E-601, Offense Classifications.

24 DCMR § 2300. Discharge of Weapons.

~~2300.1 No gun, air gun, rifle, air rifle, pistol, revolver, or other firearm, cannon, or torpedo shall be discharged or set off in the District without a special written permit from the Chief of Police.~~

~~2300.2 This section shall not apply to licensed shooting galleries between 6:00 a.m. and 12:00 midnight on Monday through Saturday, or between the hours of 2:00 p.m. and 11:00 p.m. on Sundays.~~

~~2300.3 This section shall not apply to the discharge of firearms or explosives in a performance conducted in or at a regular licenses theater or show, or to a discharge of a registered firearm while it is being used to protect against a reasonably perceived threat of immediate harm to a person in the registrant's home.¹¹~~

2300.4 Upon application to the Mayor by the president of any private or public university, college, or other educational institution, or the president of the Board of Education of the District of Columbia, guns and rifles of small caliber may be used by the officers, instructors, and pupils of the school, upon receiving a permit for the discharge of arms from the Chief of Police.

2300.5 The permit issued under § 2300.4 shall state the caliber of weapons allowed under the permit.

2300.6 Before a permit is issued, the president of the college, university, or other educational institution, or the president of the D.C. Board of Education, shall furnish the Chief of Police the written consent of the owners of a majority of the real property within a radius of two hundred feet (200 ft.) of the boundary lines of the lot or parcel of ground upon which the arms are to be discharged, unless the discharge is within an indoor, sound-proofed range.

2300.7 No place shall be used under the terms of § 2300.4 until the Director of Consumer and Regulatory Affairs furnishes a certificate verifying that suitable precautions have been taken for the safety of the public and the protection of property by the erection of iron shields and other appliances that the Director may deem is necessary.

¹¹ Replaced by RCC § 22E-4106, Negligent Discharge of a Firearm.

24 DCMR § 2348. Safe Storage of Firearms at a Place of Business

~~2348.1 No registrant shall store or keep any firearm on any premises under his or her control if he or she knows or reasonably should know that a minor or a person prohibited from possessing a firearm under D.C. Official Code § 22-4503 can gain access to the firearm.~~¹²

2348.2 When not in storage, each registrant shall carry the firearm on his or her person or within such close proximity that he or she can readily retrieve or use it as if he or she carried it on his or her person; provided, that the firearm is entirely hidden from view of the public.

2348.3 If the firearm is stored at a place of business, it shall be stored in a gun safe, locked box, or other secure device affixed to the property.

¹² Replaced by RCC § 7E-2507.02, Unlawful Storage of a Firearm.

APPENDIX B: TABLE OF STATUTORY REPLACEMENTS

Title 22. Chapter 31.	
§ 22-3151. Short title.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 22-3152. Definitions.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 22-3153. Acts of terrorism; penalties.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 22-3154. Manufacture or possession of a weapon of mass destruction.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 22-3155. Use, dissemination, or detonation of a weapon of mass destruction.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 22-3156. Jurisdiction.	The Commission may issue recommendations, if time permits under its statutory mandate.

Title 22. Chapter 45.	
§ 22-4501. Definitions.	RCC § 22E-701. Definitions.
§ 22-4502. Additional penalty for committing crime when armed.	RCC § 22E-4104. Possession of a Dangerous Weapon During a Crime.
§ 22-4502.01. Gun free zones; enhanced penalty.	RCC § 22E-4102(a). Carrying a Dangerous Weapon.
§ 22-4503. Unlawful possession of firearm.	RCC § 22E-4105. Possession of a Firearm by an Unauthorized Person.
§ 22-4503.01. Unlawful discharge of a firearm.	RCC § 22E-4106. Negligent Discharge of Firearm.
§ 22-4503.02. Prohibition of firearms from public or private property.	RCC § 22E-4108. Civil Provisions for Prohibitions of Firearms on Public and Private Property.
§ 22-4504(a) and (a-1). Carrying concealed weapons.	RCC § 22E-4102. Carrying a Dangerous Weapon.
§ 22-4504(b). Possession of weapons during commission of crime of violence.	RCC § 22E-4104. Possession of a Dangerous Weapon During a Crime.
§ 22-4504.01. Authority to carry firearm in certain places and for certain purposes.	RCC § 22E-4118. Exclusions from Liability for Weapons Offenses.
§ 22-4504.02. Lawful transportation of firearms.	RCC § 22-4109. Lawful Transportation of Firearms.
§ 22-4505. Exceptions to § 22-4504.	RCC § 22E-4118. Exclusions from Liability for Weapons Offenses.
§ 22-4506. Issue of a license to carry a pistol.	RCC § 22E-4110. Civil Provisions for Issuance of a License to Carry a Pistol.
§ 22-4507. Certain sales of pistols prohibited.	RCC § 22E-4111. Unlawful Sale of a Pistol.
§ 22-4508. Transfers of firearms regulated.	RCC § 22E-4112. Unlawful Transfer of a Firearm.
§ 22-4509. Dealers of weapons to be licensed.	RCC § 22E-4113. Sale of a Firearm Without a License.
§ 22-4510. Licenses of weapons dealers; records; by whom granted; conditions.	RCC § 22E-4114. Civil Provisions for Licenses of Firearms Dealers; RCC § 22E-4115. Unlawful Sale of a Firearm by a Licensed Dealer.
§ 22-4511. False information in purchase of weapons prohibited.	RCC § 22E-4116. Use of False Information for Purchase or Licensure of Weapons.
§ 22-4512. Alteration of identifying marks of weapons prohibited.	RCC § 22E-4107. Alteration of a Firearm Identification Mark.
§ 22-4513. Exceptions.	RCC § 22E-701. Definitions (“firearm”).

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§ 22-4514(a). Possession of certain dangerous weapons prohibited	RCC § 22E-4101. Possession of a Prohibited Weapon or Accessory.
§ 22-4514(b). Possession of certain dangerous weapons prohibited	RCC § 22E-4103. Possession of a Dangerous Weapon with Intent to Commit Crime.
§ 22-4515. Penalties.	RCC § 22E-601. Offense Classifications.
§ 22-4515a(a). Manufacture, transfer, use, possession, or transportation of Molotov cocktails, or other explosives for unlawful purposes, prohibited; definitions; penalties.	RCC § 22E-4101. Possession of a Prohibited Weapon or Accessory.
§ 22-4515a(b). Manufacture, transfer, use, possession, or transportation of Molotov cocktails, or other explosives for unlawful purposes, prohibited; definitions; penalties.	RCC § 22E-4103. Possession of a Dangerous Weapon with Intent to Commit Crime.
§ 22-4516. Severability.	RCC § 22E-4120. Severability.
§ 22-4517. Dangerous articles; definition; taking and destruction; procedure.	RCC § 22E-4117. Civil Provisions for Taking and Destruction of Dangerous Articles.

Title 7. Chapter 25.	
§ 7-2501.01. Definitions.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.01. Registration requirements.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.02. Registration of certain firearms prohibited.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.03. Qualifications for registration; information required for registration.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.04. Fingerprints and photographs of applicants; application in person required.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.05. Application signed under oath; fees.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.06. Time for filing registration applications.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.07. Issuance of registration certificate; time period; corrections.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.07a. Expiration and renewal of registration certificate.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.08. Duties of registrants.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.09. Revocation of registration certificate.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.10. Procedure for denial and revocation of registration certificate.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.11. Information prohibited from use as evidence in criminal proceedings.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.11a. Freedom of information exception.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2502.12. Definition of self-defense sprays.	Repealed.
§ 7-2502.13. Possession of self-defense sprays.	Repealed.
§ 7-2502.14. Registration of self-defense sprays. [Repealed].	Repealed.
§ 7-2502.15. Possession of stun guns.	RCC § 7-2502.15. Possession of a Stun Gun.
§ 7-2502.16. Sale of stun guns.	The Commission may issue recommendations, if time permits under its statutory mandate.

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§ 7-2503.01. Rights and responsibilities of executors and administrators.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.01. Manufacture of firearms, destructive devices or ammunition prohibited; requirement for dealer's license.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.02. Qualifications for dealer's license; application; fee.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.03. Issuance of dealer's license; time period; corrections.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.04. Duties of licensed dealers; records required.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.05. Revocation of dealer's license.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.06. Procedure for denial and revocation of dealer's license.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.07. Display of firearms or ammunition by dealers; security; employees of dealers.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.08. Identification number on firearm required before sale.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.09. Certain information obtained from or retained by dealers not to be used as evidence in criminal proceedings.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2504.10. District as federal firearms licensee.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2505.01. Sales and transfers prohibited.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2505.02. Permissible sales and transfers.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2505.03(d). Microstamping.	RCC § 22E-4107. Alteration of a Firearm Identification Mark.
§ 7-2505.03(except (d)). Microstamping.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2505.04. Prohibition on sale, transfer, ownership, or possession of designated unsafe pistol.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2506.01. Persons permitted to possess ammunition.	RCC § 7-2502.01. Possession of an Unregistered Firearm, Destructive Device, or Ammunition.
§ 7-2507.01. Security mortgages, deposits, or pawns with firearms, destructive devices, or ammunition prohibited; loan or rental of firearms, destructive devices, or ammunition prohibited.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.02. Responsibilities regarding storage of firearms; penalties.	RCC § 7-2507.02. Unlawful Storage of a Firearm.
§ 7-2507.03. Firing ranges.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.04. False information; forgery or alteration.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.05. Voluntary surrender of firearms, destructive devices, or ammunition; immunity from prosecution; determination of evidentiary value of firearm.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.06. Penalties.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.06a. Seizure and forfeiture of conveyances.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.07. Public education program.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.08. Construction of unit.	The Commission may issue recommendations, if time permits under its statutory mandate.

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§ 7-2507.09. Applicability of District of Columbia Administrative Procedure Act.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.10. Severability.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2507.11. Rules.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.01. Definitions.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.02. Duty to register and to verify.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.03. Registration period.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.04. Certification duties of the Superior Court of the District of Columbia.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.05. Sharing of registration information; Freedom of Information Act exception.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.06. Rules.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2508.07. Penalties; mandatory release condition.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.01. Definitions.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.02. Application requirements.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.03. Expiration and renewal of licenses.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.04. Duties of licensees.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.05. Revocation and suspension of licenses.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.06. Carrying a pistol while impaired.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.07. Prohibitions on carrying licensed pistols.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.08. Concealed Pistol Licensing Review Board.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.09. Freedom of information exception; report.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.10. Penalties.	The Commission may issue recommendations, if time permits under its statutory mandate.
§ 7-2509.11. Rules.	The Commission may issue recommendations, if time permits under its statutory mandate.

24 DCMR Chapter 23.	
24-2300. Discharge of Weapons.	RCC § 22E-4106. Negligent Discharge of Firearm.
24-2301. Possession of Weapons.	RCC § 7-2502.17. Carrying an Air or Spring Gun.
24-2302. Sale or Transfer of Weapons.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2303. [Repealed].	Repealed.
24-2304. [Repealed].	Repealed.

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24-2305. Registration of Firearms: General Provisions.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2306. Destructive Devices.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2307. Criminal Disqualifications for Registration.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2308. Medical Disqualifications for Registration.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2309. Other Disqualifications for Registration.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2310. Age and Vision Requirements.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2311. Knowledge of Firearms and Training Requirements.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2312. Fingerprints and Photographs.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2313. Personal Appearance and Filing Time.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2314. Issuance of Registration Certificates.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2315. Approval Period.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2316. Correction of Certificates.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2317. Lost, Stolen, or Destroyed Certificates.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2318. Modification of Certificates.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2319. Executors and Administrators.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2320. Procedures and Requirements for Registration of a Pistol for the Purpose of Self-Defense within Applicant's Home.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2321. Qualifications and Procedures to Obtain a Firearms Dealer's License.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2322. [Reserved].	Repealed.
24-2323. District Roster of Handguns Determined Not to Be Unsafe.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2324. Interpretation of Assault Weapons Definition.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2325. Pre-1985 Pistols.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2326. Renewal of Firearm Registration.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2327-2330. [Reserved].	Repealed.
24-2331. Fees.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2332. Licenses for Concealed Pistols.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2333. Good Reason to Fear Injury to Person or Property.	Repealed.
24-2334. Other Proper Reason for Concealed Carry License.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2335. Suitability to Obtain a Concealed Carry License.	The Commission may issue recommendations, if time permits under its statutory mandate.

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24-2336. Firearms Training Course Requirments [sic.].	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2337. Concealed Carry Applications.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2338. Investigation of Application.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2339. Preliminary Approval.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2340. Issuance or Denial.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2341. Revocation, Limitation, and Summary Suspension.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2342. Appeal.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2343.1. Ammunition Carried by Licensee.	RCC § 7-2509.06. Carrying a Pistol in an Unlawful Manner.
24-2343.2. Ammunition Carried by Licensee.	RCC § 7-2502.01. Possession of an Unregistered Firearm, Destructive Device, or Ammunition.
24-2344. Pistol Carry Methods.	RCC § 7-2509.06. Carrying a Pistol in an Unlawful Manner.
24-2345. Non-Resident Applications for Concealed Carry License.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2346. Signage to Prevent Entrance by Concealed Carry Licensee onto Non-Residential [sic.] Private Property.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2347. Firearms Training Instructor Certification.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2348.1. Safe Storage of Firearms at a Place of Business.	RCC § 7-2507.02. Unlawful Storage of a Firearm.
24-2348.2-3. Safe Storage of Firearms at a Place of Business.	The Commission may issue recommendations, if time permits under its statutory mandate.
24-2399. Definitions.	The Commission may issue recommendations, if time permits under its statutory mandate.

APPENDIX C: COMPILATION OF AMENDED RCC STATUTES

RCC § 22E-701. Definitions.

“Dangerous weapon”¹³ means:

- (A) A firearm ~~as defined at D.C. Code § 22-4501(2A), regardless of whether the firearm is loaded;~~
- (B) A restricted explosive;
- (C) A knife with a blade longer than 3 inches, sword, razor, ~~stiletto, dagger, or dirk;~~ or
- (D) A ~~blackjack, billy club, slungshot, sand club, sandbag; or false knuckles;~~
- (E) A stun gun; or
- (F) Any object, other than a body part ~~or stationary object~~, that in the manner of its actual, attempted, or threatened use is likely to cause death or serious bodily injury ~~to a person.~~

~~“Prohibited weapon”¹⁴ means:~~

- ~~(A) A machine gun or sawed-off shotgun, as defined at D.C. Code § 7-2501;~~
- ~~(B) A firearm silencer;~~
- ~~(C) A blackjack, slungshot, sandbag cudgel, or sand club;~~
- ~~(D) Metallic or other false knuckles as defined at D.C. Code § 22-4501; or~~
- ~~(E) A switchblade knife.~~

¹³ This definition and the corresponding commentary have been amended since the First Draft of Report #36 (April 15, 2019).

¹⁴ This definition and corresponding commentary have been deleted since the First Draft of Report #36 (April 15, 2019).

APPENDIX D: REVISED STATUTORY LANGUAGE FOR WEAPONS OFFENSES

RCC § 7-2502.01. Possession of an Unregistered Firearm, Destructive Device, or Ammunition.

- (a) *First Degree.* A person commits first degree possession of an unregistered firearm, destructive device, or ammunition when that person knowingly possesses:
 - (1) A firearm without, in fact, being the holder of a registration certificate issued under D.C. Code § 7-2502.07 for that firearm; or
 - (2) A destructive device.
- (b) *Second Degree.* A person commits second degree possession of an unregistered firearm, destructive device, or ammunition when that person knowingly possesses:
 - (1) Ammunition without, in fact, being the holder of a registration certificate issued under D.C. Code § 7-2502.07 for a firearm of the same caliber; or
 - (2) One or more restricted pistol bullets.
- (c) *Exclusions from Liability.* Notwithstanding subsections (a) and (b):
 - (1) A person shall not be subject to prosecution under subsection (a) of this section for possession of a firearm frame, receiver, muffler, or silencer.
 - (2) A person shall not be subject to prosecution under subsection (a) of this section if the person is a nonresident of the District of Columbia who is:
 - (A) Participating in a lawful recreational firearm-related activity inside the District; or
 - (B) Traveling to or from a lawful recreational firearm-related activity outside the District; and
 - 1. Upon demand of a law enforcement officer exhibits proof that:
 - (I) The person is traveling to or from a lawful recreational firearm-related activity outside the District; and
 - (II) The person's possession or control of the firearm is lawful in the person's jurisdiction of residence; and
 - 2. The firearm is transported in accordance with the requirements specified in RCC § 22E-4109.
 - (3) A person shall not be subject to prosecution under subsection (b) of this section if the person is the holder of an ammunition collector's certificate effective on or before September 24, 1976.
 - (4) A person shall not be subject to prosecution under subsection (b) this section for possession of one or more empty cartridge cases or shells.
 - (5) A person shall not be subject to prosecution under this section for possession of an unregistered firearm, destructive device, or ammunition when voluntarily surrendering the object.
 - (6) A person shall not be subject to prosecution under this section if the person meets any of the exception criteria in RCC § 22E-4118.

- (d) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (e) *Jury Trial.* A defendant charged with a violation of this section or an inchoate violation of this section may demand a jury trial. If the defendant demands a jury trial, then a court shall impanel a jury.
- (f) *Penalties.*
 - (1) First degree possession of an unregistered firearm, destructive device, or ammunition is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) Second degree possession of an unregistered firearm, destructive device, or ammunition is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (3) *Administrative Disposition.* The Attorney General may, in the operation of its discretion, offer an administrative disposition under D.C. Code § 5-335.01 et seq. for a violation of this section.
- (g) *Definitions.* The term “knowingly” has the meanings specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; the terms “ammunition,” “Attorney General,” “court,” “law enforcement officer,” “possesses,” and “restricted pistol bullet” have the meanings specified in RCC § 22E-701; the terms “destructive device” and “firearm” have the meanings specified in D.C. Code § 7-2501.01.
- (h) *Interpretation of Statute.* The general provisions of Chapters 1 through 6 of Subtitle I of Title 22E of the D.C. Code apply to this offense.

RCC § 7-2502.15. Possession of a Stun Gun.

- (a) *Offense.* A person commits possession of a stun gun when that person knowingly possesses a stun gun and is:
 - (1) Under 18 years of age; or
 - (2) In a location that:
 - (A) Is a building, or part thereof, occupied by the District of Columbia;
 - (B) Is a building, or part thereof, occupied by a preschool, a primary or secondary school, public youth center, or a children's day care center; or
 - (C) Displays clear and conspicuous signage indicating that stun guns are prohibited.
- (b) *Exclusion from Liability.* Notwithstanding subsection (a), a person shall not be subject to prosecution under this section, if the person meets any of the exception criteria in RCC § 22E-4118.
- (c) *Effective Consent Affirmative Defense.* In addition to any defenses otherwise applicable, it is an affirmative defense to prosecution under this section, which the defendant must prove by a preponderance of the evidence, that the person lawfully in charge of the location gave effective consent to the conduct charged to constitute the offense or that the accused reasonably believed that a person lawfully in charge of the location gave effective consent to the conduct charged to constitute the offense.
- (d) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (e) *Penalties.*
 - (1) Possession of a stun gun is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) *Administrative Disposition.* The Attorney General may, in the operation of its discretion, offer an administrative disposition under D.C. Code § 5-335.01 et seq. for a violation of this section.
- (f) *Definitions.* The terms “knowingly” and “negligent” have the meanings specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; the terms “Attorney General,” “building,” “effective consent,” “possesses,” and “stun gun” have the meanings specified in RCC § 22E-701.
- (g) *Interpretation of Statute.* The general provisions of Chapters 1 through 6 of Subtitle I of Title 22E of the D.C. Code apply to this offense.

RCC § 7-2502.17. Carrying an Air or Spring Gun.

- (a) *Offense.* A person commits carrying an air or spring gun when that person:
 - (1) Knowingly possesses any instrument or weapon of the kind commonly known as an air rifle, air gun, air pistol, B-B gun, spring gun, blowgun, or bowgun;
 - (2) In a location that is:
 - (A) Conveniently accessible and within reach; and
 - (B) Outside a building.
- (b) *Exclusions from Liability.* Notwithstanding subsection (a):
 - (1) A person shall not be subject to prosecution under this section if the conduct occurs:
 - (A) As part of a lawful theatrical performance or athletic contest;
 - (B) In a licensed firing range; or
 - (C) With the permission of the Metropolitan Police Department.
 - (2) A person shall not be subject to prosecution under this section if the person:
 - (A) Is 18 years of age or older; and
 - (B) Transports the instrument or weapon while it is unloaded and securely wrapped.
 - (3) A person shall not be subject to prosecution under this section if the person meets any of the exception criteria in RCC § 22E-4118.
- (c) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (d) *Penalty.* Carrying an air or spring gun is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (e) *Definitions.* The term “knowingly” has the meaning specified in RCC § 22E-206; the terms “Attorney General,” “building,” and “possesses” have the meanings specified in RCC § 22E-701.
- (f) *Interpretation of Statute.* The general provisions of Chapters 1 through 6 of Subtitle I of Title 22E of the D.C. Code apply to this offense.

RCC § 7-2507.02. Unlawful Storage of a Firearm.

- (a) *Offense.* An actor commits unlawful storage of a firearm when that actor:
 - (1) Knowingly possesses a firearm registered under D.C. Code § 7-2502.07:
 - (A) On premises under the actor's control; and
 - (B) In a location that is neither:
 - (i) A securely locked container or another location that a reasonable person would believe to be secure; nor
 - (ii) Conveniently accessible and within reach of the actor; and
 - (2) Is negligent as to the fact that:
 - (A) A person under 18 years of age is able to access the firearm without the permission of the person's parent or guardian; or
 - (B) A person prohibited from possessing a firearm under District law is able to access the firearm.
- (b) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (c) *Penalties.*
 - (1) Unlawful storage of a firearm is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) *Penalty Enhancements.* In addition to any general penalty enhancements in RCC §§ 22E-605 – 22E-608, the penalty classification for this offense may be increased in severity by one class when, in addition to the elements of the offense in sub-paragraph (a)(2)(A), it is proven that a person under 18 years of age accesses and uses the firearm to cause either:
 - (A) A criminal harm involving bodily injury; or
 - (B) A bodily injury to himself or herself.
- (d) *Definitions.* The term “negligently” has the meaning specified in RCC § 22E-206; the terms “Attorney General,” “bodily injury,” and “firearm” have the meanings specified in RCC § 22E-701.
- (e) *Interpretation of Statute.* The general provisions of Chapters 1 through 6 of Subtitle I of Title 22E of the D.C. Code apply to this offense.

RCC § 7-2509.06. Carrying a Pistol in an Unlawful Manner.

- (a) *Offense.* An actor commits carrying a pistol in an unlawful manner when that actor:
- (1) Knowingly possesses a pistol licensed under RCC § 22E-4110 in a location that is:
 - (A) Outside a person's home or place of business; and
 - (B) Conveniently accessible and within reach; and
 - (2) In addition:
 - (A) Possesses in that location more ammunition than is required to fully load the pistol twice;
 - (B) Possesses in that location more than 20 rounds of ammunition;
 - (C) The pistol is not entirely hidden from public view; or
 - (D) The pistol is not in a holster on their person in a firmly secure manner that is reasonably designed to prevent loss, theft, and accidental discharge of the pistol.
- (b) *Exclusion from Liability.* Notwithstanding subsection (a), a person shall not be subject to prosecution under this section if the person meets any of the exception criteria in RCC § 22E-4118.
- (c) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (d) *Penalties.* Carrying a pistol in an unlawful manner is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (e) *Definitions.* The term "knowingly" has the meaning specified in RCC § 22E-206; the terms "ammunition" and "pistol" have the meanings specified in RCC § 22E-701.
- (f) *Interpretation of Statute.* The general provisions of Chapters 1 through 6 of Subtitle I of Title 22E of the D.C. Code apply to this offense.

RCC § 22E-701. Definitions.

“Ammunition” has the meaning specified in D.C. Code § 7-2501.01.

“Assault weapon” has the meaning specified in D.C. Code § 7-2501.01.

“Bump stock” means any object that, when installed in or attached to a firearm, increases the rate of fire of the firearm by using energy from the recoil of the firearm to generate a reciprocating action that facilitates repeated activation of the trigger.

“Dangerous weapon” means:

- (A) A firearm;
- (B) A restricted explosive;
- (C) A knife with a blade longer than 3 inches, sword, razor, stiletto, dagger, or dirk; or
- (D) A blackjack, billy club, slungshot, sand club, sandbag; or false knuckles;
- (E) A stun gun; or
- (F) Any object, other than a body part or stationary object, that in the manner of its actual, attempted, or threatened use is likely to cause death or serious bodily injury to a person.

“False knuckles” means an object, whether made of metal, wood, plastic, or other similarly durable material that is constructed of one piece, the outside part of which is designed to fit over and cover the fingers on a hand and the inside part of which is designed to be gripped by the fist.

“Firearm” has the meaning specified in D.C. Code § 7-2501.01, except that in Chapter 41 of Title 22 the term “firearm”:

- (A) Shall not include a firearm frame or receiver;
- (B) Shall not include a firearm muffler or silencer; and
- (C) Shall include operable antique pistols.

“Firearms instructor” has the meaning specified in D.C. Code § 7-2501.01.

“Imitation firearm” means any instrument that resembles an actual firearm closely enough that a person observing it might reasonably believe it to be real.

“Gun offense” has the meaning specified in D.C. Code § 7-2508.01.

“Large capacity ammunition feeding device” means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. The term “large capacity ammunition

feeding device” shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

“Machine gun” has the meaning specified in D.C. Code § 7-2501.01.

“Pistol” has the meaning specified in D.C. Code § 7-2501.01.

“Restricted explosive” means any device designed to explode or produce uncontained combustion upon impact, including a breakable container containing flammable liquid and having a wick or a similar device capable of being ignited. The term “restricted explosive” does not include any device lawfully and commercially manufactured primarily for the purpose of illumination, construction work, or other lawful purpose.

“Restricted pistol bullet” has the meaning specified for “restricted pistol bullet” in D.C. Code § 7-2501.01.

“Sawed-off shotgun” has the meaning specified for “sawed-off shotgun” in D.C. Code § 7-2501.01.

“Stun gun” has the meaning specified in D.C. Code § 7-2501.01.

RCC § 22E-4101. Possession of a Prohibited Weapon or Accessory.

- (a) *First Degree.* A person commits first degree possession of a prohibited weapon or accessory when that person:
 - (1) Knowingly possesses a firearm or explosive;
 - (2) Reckless as to the fact that the firearm or explosive is:
 - (A) An assault weapon,
 - (B) Machine gun;
 - (C) Sawed-off shotgun; or
 - (D) A restricted explosive.
- (b) *Second Degree.* A person commits second degree possession of a prohibited weapon or accessory when that person:
 - (1) Knowingly possesses a firearm accessory;
 - (2) Reckless as to the fact that the firearm accessory is:
 - (A) A firearm silencer;
 - (B) A bump stock; or
 - (C) A large capacity ammunition feeding device.
- (c) *Exclusions from Liability.* Notwithstanding subsections (a) and (b):
 - (1) A person shall not be subject to prosecution under this section for possession of prohibited weapon or accessory when voluntarily surrendering the object.
 - (2) A person shall not be subject to prosecution under this section if the person meets any of the exception criteria in RCC § 22E-4118.
- (d) *Merger.* A conviction for possession of a prohibited weapon or accessory does not merge with any other offense arising from the same course of conduct.
- (e) *Penalties.*
 - (1) First degree possession of a prohibited weapon or accessory is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) Second degree possession of a prohibited weapon or accessory is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (f) *Definitions.* The terms “intent” and “knowingly” have the meanings specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; the terms “ammunition,” “assault weapon,” “bump stock,” “court,” “large capacity ammunition feeding device,” “machine gun,” “possesses,” “restricted explosive,” and “sawed-off shotgun” have the meanings specified in RCC § 22E-701.

RCC § 22E-4102. Carrying a Dangerous Weapon.

- (a) *First Degree.* A person commits first degree carrying a dangerous weapon when that person:
 - (1) Knowingly possesses:
 - (A) A firearm other than a pistol;
 - (B) A pistol, without a license to carry under RCC § 22E-4110; or
 - (C) A restricted explosive;
 - (2) In a location that is:
 - (A) Not the person's home, place of business, or land;
 - (B) Conveniently accessible and within reach; and
 - (C) In fact:
 - (i) Within 300 feet of a school, college, university, public swimming pool, public playground, public youth center, public library, or children's day care center; and
 - (ii) Displays clear and conspicuous signage indicating that firearms or explosives are prohibited.
- (b) *Second Degree.* A person commits second degree carrying a dangerous weapon or when that person:
 - (1) Knowingly possesses:
 - (A) A firearm other than a pistol;
 - (B) A pistol, without a license to carry under RCC § 22E-4110; or
 - (C) A restricted explosive;
 - (2) In a location that is:
 - (A) Not the person's home, place of business, or land;
 - (B) Conveniently accessible and within reach; and
- (c) *Third Degree.* A person commits third degree carrying a dangerous weapon when that person:
 - (1) Knowingly possesses a dangerous weapon;
 - (2) In a location that is:
 - (A) Not the person's home, place of business, or land; and
 - (B) Conveniently accessible and within reach;
 - (3) With intent to use the weapon, anytime in the future or if any condition is met, in a manner that is likely to cause death or serious bodily injury to another person.
- (d) *Exclusions from Liability.*
 - (1) A person shall not be subject to prosecution under this section for carrying a dangerous weapon when voluntarily surrendering the object.
 - (2) Notwithstanding subsections (a), (b), and (c), a person shall not be subject to prosecution under this section, if the person meets any of the exception criteria in RCC § 22E-4118.
- (e) *Penalties.*
 - (1) First degree carrying a dangerous weapon is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.

- (2) Second degree carrying a dangerous weapon is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (3) Third degree carrying a dangerous weapon is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (f) *Definitions.* The terms “intent” and “knowingly” have the meanings specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; the terms “building,” “dangerous weapon,” “firearm,” “pistol,” “serious bodily injury,” and “stun gun” have the meanings specified in RCC § 22E-701.

RCC § 22E-4103. Possession of a Dangerous Weapon with Intent to Commit Crime.

- (a) *First Degree.* An actor commits first degree possession of a dangerous weapon with intent to commit crime when that actor:
 - (1) Knowingly possesses an object designed to explode or produce uncontained combustion;
 - (2) With intent to use the object to commit a criminal harm that is, in fact:
 - (A) An offense against persons under Subtitle II of this Title; or
 - (B) An offense against property under Subtitle III of this Title.
- (b) *Second Degree.* An actor commits second degree possession of a dangerous weapon with intent to commit crime when that actor:
 - (1) Knowingly possesses:
 - (A) A dangerous weapon; or
 - (B) An imitation firearm;
 - (2) With intent to use the imitation firearm or dangerous weapon to commit a criminal harm that is, in fact:
 - (A) An offense against persons under Subtitle II of this Title; or
 - (B) Burglary under RCC § 22E-2701.
- (c) *No Attempt Possession of a Dangerous Weapon with Intent to Commit Crime.* It is not an offense to attempt to commit the offense described in this section.
- (d) *Penalties.*
 - (1) First degree possession of a dangerous weapon with intent to commit crime is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) Second degree possession of a dangerous weapon with intent to commit crime is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (e) *Definitions.* The terms “intent” and “knowingly” have the meanings specified in RCC § 22E-206; the terms “dangerous weapon,” “imitation firearm,” and “possesses” have the meanings specified in RCC § 22E-701.

RCC § 22E-4104. Possession of a Dangerous Weapon During a Crime.

- (a) *First Degree.* An actor commits first degree possession of a dangerous weapon during a crime when that actor:
 - (1) Knowingly possesses a firearm;
 - (2) In furtherance of and while committing what, in fact, is:
 - (A) An offense against persons under Subtitle II of this Title; or
 - (B) Burglary under RCC § 22E-2701.
- (b) *Second Degree.* An actor commits second degree possession of a dangerous weapon during a crime when that actor:
 - (1) Knowingly possesses:
 - (A) An imitation firearm; or
 - (B) A dangerous weapon;
 - (2) In furtherance of and while committing what, in fact, is:
 - (A) An offense against persons under Subtitle II of this Title; or
 - (B) Burglary under RCC § 22E-2701.
- (c) *No Attempt Possession of a Dangerous Weapon During a Crime Offense.* It is not an offense to attempt to commit the offense described in this section.
- (d) *Penalties.*
 - (1) First degree possession of a dangerous weapon during a crime is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
 - (2) Second degree possession of a dangerous weapon during a crime is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (e) *Definitions.* The terms “intent” and “knowingly” have the meanings specified in RCC § 22E-206; the terms “dangerous weapon,” “firearm,” “imitation firearm,” and “possesses” have the meanings specified in RCC § 22E-701.

RCC § 22E-4105. Possession of a Firearm by an Unauthorized Person.

- (a) *First Degree.* An actor commits first degree possession of a firearm by an unauthorized person when that actor:
 - (1) Knowingly possesses a firearm; and
 - (2) Has a prior conviction for what is, in fact:
 - (A) A District offense that is a crime of violence other than conspiracy;
or
 - (B) A comparable offense in another jurisdiction or under prior District law.
- (b) *Second Degree.* An actor commits second degree possession of a firearm by an unauthorized person when that actor:
 - (1) Knowingly possesses a firearm; and
 - (2) In addition:
 - (A) Has a prior conviction for what is, in fact:
 - (i) A District offense that is currently punishable by imprisonment for a term exceeding 1 year, or a comparable offense in another jurisdiction, within the last 10 years;
 - (ii) A gun offense, or a comparable offense in another jurisdiction, within the last 5 years; or
 - (iii) An intrafamily offense, as defined in D.C. Code § 16-1001(8), that requires as an element confinement, nonconsensual sexual conduct, bodily injury, or threats, or a comparable offense in another jurisdiction within the last 5 years.
 - (B) Is a fugitive from justice; or
 - (C) Is, in fact, subject to a court order that:
 - (i) Requires the actor to relinquish possession of any firearms or ammunition, or to not own, possess, purchase, receive, or attempt to purchase or receive a firearm or ammunition while the order is in effect;
 - (ii) Restrains the person from assaulting, harassing, stalking, or threatening the petitioner or any other person named in the order, and:
 - (I) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate; or
 - (II) Remained in effect after the person failed to appear for a hearing of which the person received actual notice.
- (c) *Exclusions from Liability.*
 - (1) A person shall not be subject to prosecution under this section for possession of a firearm when voluntarily surrendering the object.
 - (2) A person shall not be subject to prosecution for violation of subsection (a) or subsection (b)(2)(A) of this section and a repeat offender penalty enhancement in RCC § 22E-606 for the same conduct.

(d) *Penalties.*

- (1) First degree possession of a firearm by an unauthorized person is a Class [X] crime, subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (2) Second degree possession of a firearm by an unauthorized person is a Class [X] crime, subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.

(e) *Definitions.*

- (1) The term “knowingly” has the meaning specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; the terms “comparable offense,” [“crime of violence,”]¹⁵ “firearm,” “gun offense,” and “possess,” have the meanings specified in RCC § 22E-701.
- (2) In this section, the term “fugitive from justice” means a person who has an open arrest warrant for:
 - (A) Fleeing to avoid prosecution for a crime;
 - (B) Fleeing to avoid giving testimony in a criminal proceeding; or
 - (C) Escape from a correctional facility or officer under RCC § 22E-3401.
- (3) In this section, the term “prior conviction” means a final order, by any court of the District of Columbia, a state, a federally-recognized Indian tribe, or the United States and its territories, that enters judgment of guilt for a criminal offense. The term “prior conviction” does not include:
 - (A) An adjudication of juvenile delinquency;
 - (B) A conviction that is subject to successful completion of a diversion program or probation under D.C. Code § 48-904.01(e);
 - (C) A conviction that is subject to a conditional plea agreement;
 - (D) A conviction that has been vacated, sealed, or expunged; or
 - (E) A conviction for which a person has been granted clemency or a pardon.

¹⁵ [The Commission’s recommendation for a definition of the term “crime of violence” is forthcoming.]

RCC § 22E-4106. Negligent Discharge of Firearm.

- (a) *Offense.* A person commits negligent discharge of a firearm when that person:
 - (1) Negligently discharges a firearm outside a licensed firing range; and
 - (2) In fact, does not have:
 - (A) A written permit issued by the Metropolitan Police Department; or
 - (B) Other permission under District or federal law.
- (b) *Prosecutorial Authority.* The Attorney General shall prosecute violations of this section.
- (c) *Penalty.* Negligent discharge of a firearm is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (d) *Definitions.* The term “negligently” has the meaning specified in RCC § 22E-206; the term “in fact” has the meaning specified in RCC § 22E-207; and the terms “Attorney General” and “firearm” have the meanings specified in RCC § 22E-701.

RCC § 22E-4107. Alteration of a Firearm Identification Mark.

- (a) *Offense.* A person commits alteration of a firearm identification mark when that person:
 - (1) Knowingly alters or removes from a firearm:
 - (A) The name of the maker;
 - (B) The model;
 - (C) The manufacturer's number; or
 - (D) Other identifying mark;
 - (2) With intent to conceal or misrepresent the identity of the firearm.
- (b) *Penalty.* Alteration of a firearm identification mark is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (c) *Definitions.* The terms "intent" and "knowingly" have the meanings specified in RCC § 22E-206; the term "firearm" has the meaning specified in RCC § 22E-701; the term "manufacturer" has the meaning specified in § 7-2505.03.

RCC § 22E-4108. Civil Provisions for Prohibitions of Firearms on Public or Private Property.

- (a) The District may prohibit or restrict the possession of firearms on its property and any property under its control.
- (b) Private persons or entities owning property in the District may prohibit or restrict the possession of firearms on their property; provided, that this subsection shall not apply to a law enforcement officer when lawfully authorized to enter onto private property.
- (c) *Definitions.* The terms “firearm,” “law enforcement officer,” and “property” have the meanings specified in RCC § 22E-701.

RCC § 22E-4109. Civil Provisions for Lawful Transportation of a Firearm or Ammunition.

- (a) Notwithstanding any other District law, a person shall be permitted to transport a firearm or ammunition under the following circumstances:
 - (1) The person is not otherwise prohibited by law from possessing a firearm or ammunition;
 - (2) The transportation of the firearm or ammunition is:
 - (A) For any lawful purpose;
 - (B) From any place where the person may lawfully possess the firearm or ammunition;
 - (C) To any place where the person may lawfully possess the firearm or ammunition;
 - (3) When the firearm is transported in a motor vehicle, the firearm is unloaded, and:
 - (A) If the motor vehicle has a compartment separate from the passenger compartment, neither the firearm nor any ammunition is conveniently accessible and within reach from the passenger compartment of the motor vehicle; or
 - (B) If the motor vehicle does not have a compartment separate from the passenger compartment, the firearm and any ammunition is in a locked container other than the glove compartment or console; and
 - (2) When the firearm is not transported in a motor vehicle, the firearm is:
 - (A) Unloaded;
 - (B) Inside a locked container; and
 - (C) Separate from any ammunition.
- (b) *Definitions.* The terms “ammunition,” “firearm,” “possess,” and “motor vehicle” have the meanings specified in RCC § 22E-701.

RCC § 22E-4110. Civil Provisions on Issuance of a License to Carry a Pistol.

- (a) The Chief of the Metropolitan Police Department may, upon the application of a person having a bona fide residence or place of business within the District of Columbia, or of a person having a bona fide residence or place of business within the United States and a license to carry a pistol concealed upon his or her person issued by the lawful authorities of any State or subdivision of the United States, issue a license to such person to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue, if it appears that he or she is a suitable person to be so licensed.
- (b) A non-resident who lives in a state that does not require a license to carry a concealed pistol may apply to the Chief of the Metropolitan Police Department for a license to carry a pistol concealed upon his or her person within the District of Columbia for not more than 2 years from the date of issue; provided, that he or she meets the same reasons and requirements set forth in subsection (a) of this section.
- (c) For any person issued a license pursuant to this section, or renewed pursuant to D.C. Code § 7-2509.03, the Chief of the Metropolitan Police Department may limit the geographic area, circumstances, or times of the day, week, month, or year in which the license is effective, and may subsequently limit, suspend, or revoke the license as provided under D.C. Code § 7-2509.05.
- (d) The application for a license to carry shall be on a form prescribed by the Chief of the Metropolitan Police Department and shall bear the name, address, description, photograph, and signature of the licensee.
- (e) Except as provided in D.C. Code § 7-2509.05(b), any person whose application has been denied or whose license has been limited or revoked may, within 15 days after the date of the notice of denial or notice of intent, appeal to the Concealed Pistol Licensing Review Board established pursuant to D.C. Code § 7-2509.08.
- (f) *Definitions.* The term “pistol” has the meaning specified in RCC § 22E-701.

RCC § 22E-4111. Unlawful Sale of a Pistol.

- (a) *Offense.* A person commits unlawful sale of a pistol when that person:
 - (1) Knowingly sells a pistol;
 - (2) Reckless as to the fact that the purchaser is:
 - (A) Not of sound mind;
 - (B) Prohibited from possessing a firearm by RCC § 22E-4105; or
 - (C) Under 21 years of age, except when the purchaser is a child or ward of the seller.
- (b) *Penalty.* Unlawful sale of a pistol is a Class ☒ crime subject to a maximum term of imprisonment of ☒, a maximum fine of ☒, or both.
- (c) *Definitions.* The terms “knowingly” and “reckless” have the meanings specified in RCC § 22E-206; the terms “firearm,” “pistol,” and “possess” have the meanings specified in RCC § 22E-701.

RCC § 22E-4112. Unlawful Transfer of a Firearm.

- (a) *Offense.* A person commits unlawful transfer of a firearm when that person:
- (1) Knowingly, as the seller of a firearm, delivers the firearm to a purchaser:
 - (A) In fewer than 10 days from the date of the purchase thereof, except in the case of sales to law enforcement officers; or
 - (B) In a manner other than as specified in RCC § 22E-4109;
 - (2) Knowingly, as the purchaser of a firearm, fails to sign in duplicate and deliver to the seller a statement containing the purchaser's full name, address, occupation, date and place of birth, the date of purchase, the caliber, make, model, and manufacturer's number of the firearm and a statement that the purchaser is not prohibited from possessing a firearm by RCC § 22E-4105;
 - (3) Knowingly, as the seller of a firearm, fails to sign and attach his or her address to the purchaser's statement described in paragraph (a)(2) of this section and deliver one copy to such person or persons as the Chief of the Metropolitan Police Department may designate, and retain the other copy for 6 years; or
 - (4) Knowingly sells an assault weapon, machine gun, or sawed-off shotgun:
 - (A) To any person other than the persons designated in RCC § 22E-4118(b) as entitled to possess the same; or
 - (B) Without prior permission to make such sale obtained from the Chief of the Metropolitan Police Department.
- (b) *Exclusion from Liability.* This section shall not apply to sales made by wholesale dealers to licensed dealers.
- (c) *Penalty.* Unlawful transfer of a firearm is a Class ☒ crime subject to a maximum term of imprisonment of ☒, a maximum fine of ☒, or both.
- (d) *Definitions.* The terms "knowingly" has the meaning specified in RCC § 22E-206; the terms "assault weapon," "firearm," "law enforcement officer," "machine gun," and "sawed-off shotgun" have the meanings specified in RCC § 22E-701; the term "manufacturer" has the meaning specified in § 7-2505.03.

RCC § 22E-4113. Sale of Firearm Without a License.

- (a) *Offense.* An actor commits unlawful sale of a firearm without a license when that actor knowingly:
 - (1) As a retail dealer:
 - (A) Sells, exposes for sale, or possesses with intent to sell, a firearm;
and
 - (B) Is not licensed under RCC § 22E-4114 to engage in such activity;
or
 - (2) As a wholesale dealer, sells, or has in the actor's possession with intent to sell, a firearm to any person other than a licensed dealer.
- (b) *Penalty.* Unlawful sale of a firearm without a license is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (c) *Definitions.* The term "knowingly" has the meaning specified in RCC § 22E-206; the terms "assault weapon," "firearm," "machine gun," "possess," and "sawed-off shotgun" have the meanings specified in RCC § 22E-701.

RCC § 22E-4114. Civil Provisions for Licenses of Firearms Dealers.

- (a) The Mayor of the District of Columbia may, in his or her discretion, grant licenses and may prescribe the form thereof, effective for not more than 1 year from date of issue, permitting the licensee to sell a firearm at retail within the District of Columbia.
- (b) Any license issued pursuant to this section shall require the license holder to follow the following licensure requirements:
 - (1) The business shall be carried on only in the building designated in the license.
 - (2) The license or a copy thereof, certified by the issuing authority, shall be clearly and conspicuously displayed on the premises.
 - (3) No firearm shall be sold if the purchaser is:
 - (A) Not of sound mind;
 - (B) Prohibited from possessing a firearm by RCC § 22E-4105; or
 - (C) Under 21 years of age, unless the purchaser is personally known to the seller or presents clear evidence of the purchaser's identity.
 - (4) No assault weapon, machine gun, or sawed-off shotgun shall be sold to any person other than the persons designated in RCC § 22E-4118(b) as entitled to possess the same, and then only after permission to make such sale has been obtained from the Chief of the Metropolitan Police Department.
 - (5) A true record shall be made in a book kept for the purpose, the form of which may be prescribed by the Mayor, of all firearms in the possession of the licensee, which said record shall contain the date of purchase, the caliber, make, model, and manufacturer's number of the weapon, to which shall be added, when sold, the date of sale.
 - (6) A true record in duplicate shall be made of every firearm sold, said record to be made in a book kept for the purpose, the form of which may be prescribed by the Mayor of the District of Columbia and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other and shall contain the date of sale, the name, address, occupation, color, and place of birth of the purchaser, and, so far as applicable, the caliber, make, model, and manufacturer's number of the weapon, and a statement by the purchaser that the purchaser is not a person prohibited from possessing a firearm by RCC § 22E-4105. One copy of said record shall, within 7 days, be forwarded by mail to the Chief of the Metropolitan Police Department and the other copy retained by the seller for 6 years.
 - (7) No firearm or imitation firearm or placard advertising the sale thereof shall be clearly and conspicuously displayed on the premises, where it can readily be seen from outside.
- (c) Any license shall be subject to forfeiture for any violation of the requirements specified in paragraph (b) of this section.
- (d) Any license issued pursuant to this section shall be issued by the Metropolitan Police Department as a Public Safety endorsement to a basic business license

- under the basic business license system as set forth in subchapter I-A of Chapter 28 of Title 47 of the District of Columbia Official Code [§ 47-2851.01 et seq.].
- (e) *Definitions.* The terms “assault weapon,” “building,” “firearm,” “imitation firearm,” “machine gun,” “possess,” and “sawed-off shotgun” have the meanings specified in RCC § 22E-701; the term “manufacturer” has the meaning specified in § 7-2505.03.

RCC § 22E-4115. Unlawful Sale of a Firearm by a Licensed Dealer.

- (a) *Offense.* A person commits unlawful sale of a firearm by a licensed dealer when that person:
 - (1) In fact, is a licensed dealer under RCC § 22E-4114; and
 - (2) Recklessly violates a licensure requirement specified in RCC § 22E-4114(b)(1) – (b)(6).
- (b) *Penalty.* Unlawful sale of a firearm by a licensed dealer is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (c) *Definitions.* The term “recklessly” has the meaning specified in RCC § 22E-206.

RCC § 22E-4116. Use of False Information for Purchase or Licensure of a Firearm.

- (a) *Offense.* A person commits use of false information for purchase or licensure of a firearm when that person knowingly gives false information or false evidence of identity to:
 - (1) Purchase a firearm; or
 - (2) Apply for a license to carry a pistol under RCC § 22E-4110.
- (b) *Penalty.* Use of false information for purchase or licensure of a firearm is a Class [X] crime subject to a maximum term of imprisonment of [X], a maximum fine of [X], or both.
- (c) *Definitions.* The term “knowingly” has the meaning specified in RCC § 22E-206; the terms “firearm” and “pistol” have the meanings specified in RCC § 22E-701.

RCC § 22E-4117. Civil Provisions for Taking and Destruction of Dangerous Articles.

- (a) A dangerous article unlawfully owned, possessed, or carried is hereby declared to be a nuisance.
- (b) When a police officer, in the course of a lawful arrest or lawful search, or when a designated civilian employee of the Metropolitan Police Department in the course of a lawful search, discovers a dangerous article which the officer reasonably believes is a nuisance under subsection (a) of this section the officer shall take it into his or her possession and surrender it to the Property Clerk of the Metropolitan Police Department.
- (c)
 - (1) Within 30 days after the date of such surrender, any person may file in the office of the Property Clerk of the Metropolitan Police Department a written claim for possession of such dangerous article. Upon the expiration of such period, the Property Clerk shall notify each such claimant, by registered mail addressed to the address shown on the claim, of the time and place of a hearing to determine which claimant, if any, is entitled to possession of such dangerous article. Such hearing shall be held within 60 days after the date of such surrender.
 - (2) At the hearing the Property Clerk shall hear and receive evidence with respect to the claims filed under paragraph (1) of this subsection. Thereafter he or she shall determine which claimant, if any, is entitled to possession of such dangerous article and shall reduce his or her decision to writing. The Property Clerk shall send a true copy of such written decision to each claimant by registered mail addressed to the last known address of such claimant.
 - (3) Any claimant may, within 30 days after the day on which the copy of such decision was mailed to such claimant, file an appeal in the Superior Court of the District of Columbia. If the claimant files an appeal, he or she shall at the same time give written notice thereof to the Property Clerk. If the decision of the Property Clerk is so appealed, the Property Clerk shall not dispose of the dangerous article while such appeal is pending and, if the final judgment is entered by such court, he or she shall dispose of such dangerous article in accordance with the judgment of such court. The court is authorized to determine which claimant, if any, is entitled to possession of the dangerous article and to enter a judgment ordering a disposition of such dangerous article consistent with subsection (e) of this section.
 - (4) If there is no such appeal, or if such appeal is dismissed or withdrawn, the Property Clerk shall dispose of such dangerous article in accordance with subsection (e) of this section.
 - (5) The Property Clerk shall make no disposition of a dangerous article under this section, whether in accordance with his or her own decision or in accordance with the judgment of the court, until the United States Attorney for the District of Columbia certifies to the Property Clerk that such dangerous article will not be needed as evidence.

- (d) A person claiming a dangerous article shall be entitled to its possession only if:
 - (1) Such person shows, on satisfactory evidence, that such person is the owner of the dangerous article or is the accredited representative of the owner, and that the ownership is lawful;
 - (2) Such person shows on satisfactory evidence that at the time the dangerous article was taken into possession by a police officer or a designated civilian employee of the Metropolitan Police Department, it was not unlawfully owned and was not unlawfully possessed or carried by the claimant or with his or her knowledge or consent; and
 - (3) The receipt of possession by the claimant does not cause the article to be a nuisance. A representative is accredited if such person has a power of attorney from the owner.
- (e) If a person claiming a dangerous article is entitled to its possession as determined under subsections (c) and (d) of this section, possession of such dangerous article shall be given to such person. If no person so claiming is entitled to its possession as determined under subsections (c) and (d) of this section, or if there be no claimant, such dangerous article shall be destroyed. In lieu of such destruction, any such serviceable dangerous article may, upon order of the Mayor of the District of Columbia, be transferred to and used by any federal or District government law-enforcing agency, and the agency receiving same shall establish property responsibility and records of these dangerous articles.
- (f) The Property Clerk shall not be liable in damages for any action performed in good faith under this section.
- (g) *Definitions.*
 - (1) The terms “bump stock,” “court,” “dangerous weapon,” and “large capacity ammunition feeding device” have the meanings specified in RCC § 22E-701.
 - (2) In this section, the term “dangerous article” means:
 - (A) A firearm silencer;
 - (B) A bump stock;
 - (C) A large capacity ammunition feeding device; or
 - (D) A dangerous weapon.

RCC § 22E-4118. Exclusions from Liability for Weapon Offenses.

- (a) The exclusions from liability specified in this section apply to the following District crimes:
- (1) RCC § 7-2502.01, Possession of an Unregistered Firearm, Destructive Device, or Ammunition;
 - (2) RCC § 7-2502.15, Possession of a Stun Gun;
 - (3) RCC § 7-2502.17, Carrying an Air or Spring Gun;
 - (4) RCC § 7-2509.06, Carrying a pistol in an unlawful manner;
 - (5) RCC § 22E-4101, Possession of a Prohibited Weapon or Accessory; and
 - (6) RCC § 22E-4102, Carrying a Dangerous Weapon.
- (b) Notwithstanding any other District law, a person shall not be subject to prosecution for an offense specified in subsection (a) if that person is:
- (1) A member of the Army, Navy, Air Force, or Marine Corps of the United States;
 - (2) An on-duty member of the National Guard, or Organized Reserves;
 - (3) A qualified law enforcement officer as defined in 18 U.S.C. § 926B;
 - (4) A qualified retired law enforcement officer as defined in 18 U.S.C. § 926C, who carries a concealed pistol that is registered under D.C. Code § 7-2502.07 in a location that is conveniently accessible and within reach;
 - (5) A licensed special police officer or campus police officer, who possesses or carries a firearm registered under D.C. Code § 7-2502.07 in accordance with D.C. Code § 5-129.02 and all rules promulgated under that section;
 - (6) A Director, deputy director, officer, or employee of the District of Columbia Department of Corrections who possesses or carries a firearm registered under D.C. Code § 7-2502.07;
 - (7) An employee of the District or federal government, who is on duty and acting within the scope of those duties;
 - (8) Lawfully engaging in the business of manufacturing, repairing, or dealing the weapon involved in the offense;
 - (9) Lawfully engaging in the business of shipping or delivering the weapon involved in the offense; or
 - (10) Acting within the scope of authority granted by the Chief of the Metropolitan Police Department or a competent court.
- (c) Notwithstanding any other District law, a person shall not be subject to prosecution for an offense specified in subsection (a) if that person:
- (1) Holds a valid registration certificate issued under D.C. Code § 7-2502.07; and
 - (2) Possesses the registered firearm or ammunition for a firearm of the same caliber while:
 - (A) At the home or place of business designated on the registration certificate;
 - (B) Transporting the firearm or ammunition, in accordance with RCC § 22E-4109, to or from:
 - (i) A place of sale;
 - (ii) The person's home or place of business;

- (iii) A place of repair;
 - (iv) A firearms training and safety class conducted by a firearms instructor; or
 - (v) A lawful recreational firearm-related activity; or
- (C) Transporting the firearm or ammunition for a lawful purpose as expressly authorized by a District or federal statute and in accordance with the requirements of that statute.
- (d) Notwithstanding any other District law, a person shall not be subject to prosecution for an offense specified in subsection (a) for possessing or carrying a firearm while that person is participating in a firearms training and safety class conducted by a firearms instructor.
- (c) *Definitions.* The terms “ammunition,” “firearm,” “firearms instructor,” “pistol,” and “possess” have the meanings specified in RCC § 22E-701.

RCC § 22E-4119. Limitation on Convictions for Multiple Related Weapons Offenses.

- (a) A person may be found guilty of any combination of the following offenses for which the person satisfies the requirements for liability, provided that the court shall not enter a judgment of conviction for more than one of the offenses based on the same act or course of conduct:
 - (1) RCC § 7-2502.01, Possession of an Unregistered Firearm, Destructive Device, or Ammunition;
 - (2) RCC § 7-2502.15, Possession of a Stun Gun;
 - (3) RCC § 7-2502.17, Carrying an Air or Spring Gun;
 - (4) RCC § 22E-4102, Carrying a Dangerous Weapon;
 - (5) RCC § 22E-4103, Possession of a Dangerous Weapon with Intent to Commit Crime; and
 - (6) RCC § 22E-4104, Possession of a Dangerous Weapon During a Crime.
- (b) A person may be found guilty of any combination of the following offenses for which the person satisfies the requirements for liability, provided that the court shall not enter a judgment of conviction for more than one of the offenses based on the same act or course of conduct:
 - (1) RCC § 22E-4103, Possession of a Dangerous Weapon with Intent to Commit Crime;
 - (2) RCC § 22E-4104, Possession of a Dangerous Weapon During a Crime; and
 - (3) Any offense against persons under Subtitle II of this Title that includes as an element, of any gradation, that the person displayed or used a dangerous weapon.
- (c) Where subsection (a) or (b) prohibits multiple convictions, the court shall enter a judgment of conviction in accordance with the rules and procedures established in RCC § 212(d)-(e).
- (d) *Definitions.* The terms “act” and “court” have the meanings specified in RCC § 22E-701.

RCC § 22E-4120. Severability.

If any part of this Chapter is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this Chapter.