A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Phil Mendelson introduced the following bill which was referred to the Committee on ______________.

To amend the Firearms Control Regulations Act of 1975 to provide for, in the discretion of the Office of the Attorney General for the District of Columbia, the option of an administrative disposition to handle the offenses of possession of an unregistered firearm and possession of unregistered ammunition by non-residents of the District, and for possession of a single restricted pistol bullet.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Administrative Disposition for Weapons Offenses Amendment Act of 2012”.

Sec. 2. Section 706 of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2507.06) is amended as follows:

(a) The existing text is designated as subsection (a).

(b) A new subsection (b) is added to read as follows:

“(b)(1) The following violations of this act may, pursuant to paragraph (2) of this subsection, be eligible for an administrative disposition, in an amount to be determined by the

“(A) Possession of an unregistered firearm pursuant to section 201 or possession of unregistered ammunition (but not restricted pistol bullets) pursuant to section 601 if the person is not a resident of the District of Columbia and is not concurrently charged with any other criminal offense; and

“(B) Possession of a single restricted pistol bullet, provided that the person did not also have a firearm at the time of arrest.

“(2) For purposes of this subsection, only the Office of the Attorney General for the District of Columbia, by the operation of its prosecutorial discretion, may make an offer of an administrative disposition.

“(3) An administrative disposition pursuant to this subsection shall not be considered a criminal conviction, shall not be grounds for the suspension, revocation, or denial of any license, or for the revocation of probation or parole of the person accepting an offer of an administrative disposition.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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