

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Marion Barry introduced the following bill, which was referred to the Committee on _____.

To increase the criminal penalties associated with illegal possession of firearms and the commission of criminal acts while in possession of a firearm; to amend the Firearms Control Regulation Act of 1975; to amend AN ACT To Control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes; to amend the Victims of Violent Crime Compensation Amendment Act of 1996; to establish quarterly reporting requirements for the Metropolitan Police Department on firearms related crime statistics.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Gun Violence Reduction Act of 2007”.

Title I. Firearms Control.

Sec. 101. The Firearms Control Regulation Act of 1975, effective September 24, 1976.

(D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*) is amended as follows:

(a) Section 202 is amended by adding a new subsection (a-1) that reads as follows:

“(a-1) The prohibition against registration of pistols contained in subsection (a) of this section shall be suspended for a period of 90 days from the effective date of this act.”

(b) Section 706(a) is amended as follows:

1 (1) The lead-in language is amended by striking the phrase “shall be fined not
2 more than \$1,000 or imprisoned for not more than 1 year, or both” and inserting the
3 phrase “shall be guilty of a felony and shall be fined not more \$10,000 and imprisoned
4 for not more than 15 years” in its place.

5 (2) Paragraph (1) is amended by striking the phrase “shall be fined not more than
6 \$10,000 or imprisoned for not more than 10 years, or both” and inserting the phrase
7 “shall be guilty of a felony and shall be fined not more than \$20,000 and imprisoned for
8 not more than 30 years” in its place.

9 (3) Paragraph (2)(A) is amended by striking the phrase “ shall be fined not more
10 than \$5,000 or imprisoned for not more than 5 years, or both” and inserting the phrase
11 “shall be guilty of a felony and shall be fined not more than \$20,000 and imprisoned for
12 not more than 30 years” in its place.

13 Sec. 102. AN ACT To Control the possession, sale, transfer, and use of pistols and other
14 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of
15 evidence, and for other purposes, approved July 8, 1932 (47 Stat 650; D.C. Official Code § 22-
16 4502), is amended as follows:

17 (a) Section 2 is amended as follows:

18 (1) Subsection (a) is amended as follows:

19 (A) Paragraph (1) is amended by striking the number “5” after the phrase
20 “term of not less than” and inserting the number “10” in its place.

21 (B) Paragraph (2) is amended by striking the number “5” after the phrase
22 “term of not less than” and inserting the number “10” in its place and in the last

1 line of the paragraph by striking the number “10” after the phrase “term of not
2 less than” and inserting the number “15” in its place.

3 (2) Subsection (c) is amended by striking the number “5” after the phrase “term
4 of” and inserting the number “10” in its place and by striking the number “10” after the
5 phrase “of this section, or” and inserting the number “15” in its place.

6 (b) Section 4 is amended as follows:

7 (1) Subsection (a) is amended as follows:

8 (A) Paragraph (1) is amended by striking the phrase “shall be fined not
9 more than \$5,000 or imprisoned for not more than 5 years, or both” and inserting
10 the phrase “shall be guilty of a felony and shall be fined not more than \$20,000
11 and imprisoned for not more than 20 years”.

12 (B) Paragraph (2) is amended by striking the phrase “\$10,000 or
13 imprisoned for not more than 10 years, or both.” and inserting the phrase “\$20,000 and
14 imprisoned for not more than 20 years.”

15 (2) Subsection (b) is amended by striking the number “15” after the phrase “not to
16 exceed” and inserting the number “30” in its place and by striking the number “5” after
17 the phrase “term not less than” and inserting the number “10” in its place.

18 (c) Section 15 is amended by striking the phrase “\$1,000 or imprisoned for not
19 more than 1 year or both.” and inserting the phrase “\$10,000 and imprisoned for not more
20 than 15 years”.

21 Title II. Firearms Victims Assistance.

1 Sec. 201. The Victims of Violent Crime Compensation Amendment Act of 1996,
2 effective April 9, 1997 (D.C. Law 11-243; D.C. Official Code § 4-501 *et seq.*) is amended by
3 adding a new section 16b to read as follows:

4 “Sec. 16a Firearms Victims Assistance Fund.

5 “(a) There is established as a nonlapsing, revolving fund the Firearms Victims
6 Assistance Fund. The Firearms Victims Assistance Fund shall be separate from the General Fund
7 of the District of Columbia and administered by the Department of Human Services.

8 “(b) All amounts deposited in the Firearms Victims Assistance Fund are subject to
9 appropriations and shall be appropriated without fiscal year limitation to make payments as
10 authorized by subsection (d) of this section pursuant to an act of Congress. All amounts
11 deposited in the Firearms Victims Assistance Fund shall not revert to the General Fund of the
12 District of Columbia at the end of any fiscal year or at any other time, but shall be continually
13 available for the uses and purposes set forth in subsection (d) of this section, subject to
14 authorization by Congress in an appropriations act.

15 “(c) Not more than 5% of the total amount of monies in the Firearms Victims
16 Assistance Fund in any given fiscal year may be used to pay administrative costs necessary to
17 implement the requirements of this section.

18 “(d) Victims and relatives by blood of victims of firearms related violent crimes,
19 including murder, manslaughter, and criminal conduct that results in paralysis, disfigurement, or
20 loss of a limb, may apply for monetary assistance.

21 “(e)(1) Individuals or families may apply for up to \$25,000 in assistance per
22 calendar year.

1 “(2) Assistance received from the Firearms Victims Assistance Fund may
2 be used for burial expenses, medical expenses, counseling and rehabilitation.

3 “(f) A plan for spending the funds deposited in the Firearms Victims Assistance
4 Fund shall be submitted to the Council for approval before funds are expended.”.

5 Title III. MPD Firearms Crime Statistics.

6 Sec. 301. The Metropolitan Police Department shall transmit the following firearms
7 related crime statistics to the Council of the District of Columbia on a quarterly basis:

8 (1) Information detailing the recidivism rate associated with those charged with
9 firearms violations.

10 (2) With respect to firearms found to be or confiscated as illegally possessed in
11 the District, the jurisdiction in which the most recent or original retail or legal sale of the firearm
12 took place.

13 (3) The number of firearms confiscated in total and broken down by police
14 district.

15 (4) The number of gun related homicides in total and broken down by police
16 district.

17 Title IV. Fiscal Impact and Effective Date.

18 Sec. 401. Fiscal impact statement.

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

22 Sec. 402. Effective date.

1 This act shall take effect following approval by the Mayor (or in the event of veto
2 by the Mayor, action by the Council to override the veto), a 60-day period of Congressional
3 review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved
4 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(2)), and publication in the
5 District of Columbia Register.