

A RESOLUTION

21-409

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Firearms Control Regulations Act of 1975 to extend to January 1, 2018 the date for implementation of the microstamping requirement for semiautomatic pistols.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Microstamping Implementation Congressional Review Emergency Declaration Resolution of 2016”.

Sec. 2. (a) D.C. Law 17-372, the Firearms Registration Amendment Act of 2008, added to the firearms law a requirement that newly-manufactured semiautomatic pistols be “microstamp-ready.”

(b) Microstamping creates microscopic markings on a cartridge after a firearm is fired that identify the make, model, and serial number of the firearm, allowing law enforcement to identify a firearm the first time it is used in a crime.

(c) In 2007, California became the first state to require microstamping on all new models sold in the state.

(d) The District’s microstamping requirement was initially to be implemented in 2011, in order to incorporate best practices learned from California’s experience. However, D.C. Law 18-377, the Criminal Code Amendment Act of 2010, delayed the applicability date from January 1, 2011, until January 1, 2013. At that time, California had only recently issued regulations on microstamping. Because California was only beginning to put microstamping into practice, the Council voted to delay the District’s implementation in order to allow the model being developed in California to be further refined.

(e) D.C. Law 19-170, the Firearms Amendment Act of 2012, again delayed—to January 1, 2014—implementation of microstamping in the District after the process faced further delay in California due to patents on the technology. Implementation was postponed because of the very small nature of the District’s market. The view was that once California, a much larger market, implemented microstamping, it would become more feasible for implementation in the District.

(f) As California continues to work toward implementation of the microstamping requirements it is necessary to again delay the implementation of the District’s microstamping requirement to allow for more time for the requirement and implementation to take hold in California.

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(g) An emergency measure, the Microstamping Implementation Emergency Amendment Act of 2015, effective January 6, 2016 (D.C. Act 21-258; 63 DCR 530), was adopted by the Council in December 2015 to delay the implementation requirement from January 1, 2016 to January 1, 2018. That emergency measure will expire on March 31, 2016, with the corresponding temporary measure, the Microstramping Implementation Temporary Amendment Act of 2015, enacted on January 21, 2016 (D.C. Act 21-277; 63 DCR 993), not projected to become law until April 5, 2016. As such it is necessary to adopt an additional emergency to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the “Microstamping Implementation Congressional Review Emergency Amendment Act of 2016” be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately