

  
Councilmember Brooke Pinto

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Office of Administrative Hearings Establishment Act of 2001 to provide for the jurisdiction of the Office of Administrative Hearings to include certain cases to be decided under the Firearms Control Regulations Act of 1975; and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of Administrative Hearings Jurisdiction Congressional Review Emergency Amendment Act of 2023”.

Sec. 2. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended as follows:

(a) Subsection (b-2) is amended as follows:

(1) Paragraph (4) is repealed.

(2) A new paragraph (5) is added to read as follows:

“(5) A license to carry a concealed pistol pursuant to section 908 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08), including:

“(A) Any appeal pending at the Concealed Pistol Licensing Review Board as of October 1, 2023; provided, that each such pending appeal shall be transferred to the Office for adjudication and re-docketed in accordance with the procedures of the Office; and

33                               “(B) Any motion for reconsideration of a decision issued by the Concealed  
34 Pistol Licensing Review Board prior to October 1, 2023, that is pending on or filed after October  
35 1, 2023; provided that:

36                               “(i) Each such motion filed before October 1, 2023, with the  
37 Concealed Pistol Licensing Review Board shall be transferred to and adjudicated by the Office;  
38 and

39                               “(ii) Each such motion filed on or after October 1, 2023, shall be  
40 filed with and adjudicated by the Office.”.

41               (b) A new subsection (b-31) is added to read as follows:

42               “(b-31) This act shall apply to all adjudicated cases involving imposition of a civil fine  
43 for violations of An Act To enable the blind and the otherwise physically disabled to participate  
44 fully in the social and economic life of the District of Columbia, approved October 21, 1972 (86  
45 Stat. 970; D.C. Official Code § 7-1001 *et seq.*)”.

46               Sec. 3. Title IX of the Firearms Control Regulations Act of 1975, effective June 16, 2015  
47 (D.C. Law 20-279; D.C. Official Code § 7-2509.01 *et seq.*), is amended as follows:

48               (a) Section 902(g) (D.C. Official Code § 7-2509.02(g)) is amended by striking the phrase  
49 “Concealed Pistol Licensing Review Board established pursuant to section 908” and inserting the  
50 phrase “Office of Administrative Hearings pursuant to section 908” in its place.

51               (b) Section 903(c) (D.C. Official Code § 7-2509.03(c)) is amended by striking the phrase  
52 “Concealed Pistol Licensing Review Board established pursuant to section 908” and inserting the  
53 phrase “Office of Administrative Hearings pursuant to section 908” in its place.

54               (c) Section 905 (D.C. Official Code § 7-2509.05) is amended as follows:

55 (1) Subsection (a)(4) is amended by striking the phrase “Concealed Pistol  
56 Licensing Review Board established pursuant to section 908” and inserting the phrase “Office of  
57 Administrative Hearings pursuant to section 908” in its place.

58 (2) Subsection (b)(3) is amended by striking the phrase “Concealed Pistol  
59 Licensing Review Board” and inserting the phrase “Office of Administrative Hearings” in its  
60 place.

61 (d) Section 908 (D.C. Official Code § 7-2509.08) is amended as follows:

62 (1) The section heading is amended to read as follows:

63 “Sec. 908. Concealed pistol licensing appeals.”.

64 (2) The lead-in language of subsection (a) is amended to read as follows:

65 “The Office of Administrative Hearings shall hear appeals from:”.

66 (3) Subsection (b) is repealed.

67 (4) Subsection (c) is repealed.

68 (5) Subsection (e) is amended to read as follows:

69 “(e) Hearings conducted pursuant to this section shall be confidential and not open to the  
70 public.”.

71 (6) Subsection (f) is repealed.

72 Sec. 4. Section 6(e) of An Act To Control the possession sale, transfer, and use of pistols  
73 and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules  
74 of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 651; D.C. Official Code §  
75 22-4506(e)), is amended by striking the phrase “Concealed Pistol Licensing Review Board  
76 established pursuant to section 908 of the Firearms Control Regulations Act of 1975, passed on  
77 2nd reading on December 17, 2014 (Enrolled version of Bill 20-930) ,” and inserting the phrase

78 “Office of Administrative Hearings pursuant to section 908 of the Firearms Control Regulations  
79 Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.08),” in its  
80 place.

81 Sec. 5. Section 1108(c-2)(7) of the District of Columbia Government Comprehensive  
82 Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
83 611.08(c-2)(7)), is repealed.

84 Sec. 6. The Mayor shall provide for the orderly transfer of all records of pending and  
85 adjudicated appeals of the Concealed Pistol Licensing Review Board to the Office of  
86 Administrative Hearings.

87 Sec. 7. Applicability.

88 This act shall apply as of October 1, 2023.

89 Sec. 8. Fiscal impact statement.

90 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
91 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
92 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

93 Sec. 9. Effective date.

94 This act shall take effect following approval by the Mayor (or in the event of veto by the  
95 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
96 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
97 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
98 D.C. Official Code § 1-204.12(a)).