

A RESOLUTION

23-642

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 15, 2020

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to establish an Extreme Risk Protection Order Implementation Working Group, to provide for its membership, and to specify its duties.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Extreme Risk Protection Order Implementation Working Group Second Emergency Declaration Resolution of 2020”.

Sec. 2. (a) On December 18, 2018, the Council passed the Firearms Safety Omnibus Amendment Act of 2018, effective May 10, 2019 (D.C. Law 22-314; 66 DCR 1672), which created the District’s “red flag” law.

(b) The District’s “red flag” law allows concerned family and household members, mental health professionals, and law enforcement officials to file extreme risk protection orders with the Superior Court to have firearms and ammunition removed from people who pose a significant danger to themselves or others.

(c) On March 3, 2020, the Council passed the Extreme Risk Protection Order Implementation Working Group Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-252; 67 DCR 3467) (“emergency act”), which expired on June 15, 2020.

(d) The emergency act created an Extreme Risk Protection Order Implementation Working Group (“Working Group”), provided for its membership, and specified its duties. The intent behind creating the Working Group was to formally coordinate the efforts of District agencies, federal partners, gun safety experts, and community members to assist with the implementation of the District’s red flag law. The Working Group is currently set to sunset on July 15, 2021.

(e) On March 17, 2020, the Council passed the Extreme Risk Protection Order Implementation Working Group Temporary Amendment Act of 2020, effective June 17, 2020 (D.C. Law 23-107; 67 DCR 3950) (“temporary act”), which is set to expire on January 28, 2021.

(f) On December 15, 2020, the Council will pass the Omnibus Public Safety and Justice Amendment Act of 2020, passed on 1st reading on December 1, 2020 (Engrossed version of Bill 23-127) (“permanent bill”). Section 102 of the permanent bill makes the Working Group permanent and extends its sunset date, in part due to the COVID-19 public health emergency.

**ENROLLED ORIGINAL**

(g) This emergency legislation is now necessary to maintain the provisions of the temporary act until the permanent bill becomes 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 Extreme Risk Protection Order Implementation Working Group Second Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.