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7 A PROPOSED RESOLUTION

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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 To declare the existence of an emergency with respect to the need to amend the Firearms Control
17 Regulations Act of 1975 to establish an Extreme Risk Protection Order Implementation
18 Working Group, to provide for its membership, and to specify its duties.

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

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

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

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

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

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

41 (f) On December 15, 2020, the Council will pass the Omnibus Public Safety and Justice
42 Amendment Act of 2020, passed on 1st reading on December 1, 2020 (Engrossed version of Bill
43 23-127) (“permanent bill”). Section 102 of the permanent bill makes the Working Group
44 permanent and extends its sunset date, in part due to the COVID-19 public health emergency.

45 (g) This emergency legislation is now necessary to maintain the provisions of the
46 temporary act until the permanent bill becomes law.

47 Sec. 3. The Council of the District of Columbia determines that the circumstances
48 enumerated in section 2 constitute emergency circumstances making it necessary that the Extreme
49 Risk Protection Order Implementation Working Group Second Emergency Amendment Act of
50 2020 be adopted after a single reading.

51 Sec. 4. This resolution shall take effect immediately.