108th CONGRESS
2d Session
H. R. 3193
AN ACT

To restore second amendment rights in the District of Columbia.

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To restore second amendment rights in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'District of Columbia Personal Protection Act'.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.
(2) The Second Amendment to the United States Constitution protects the rights of individuals, including those who are not members of a militia or engaged in military service or training, to keep and bear arms.
(3) The law-abiding citizens of the District of Columbia are deprived by local laws of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the rest of the United States for sporting use and for lawful defense of persons, homes, and families.
(4) The District of Columbia has the highest per capita murder rate in the Nation, which may be attributed in part to local laws prohibiting possession of firearms by law-abiding persons who would otherwise be able to defend themselves and their loved ones in their own homes and businesses.
Consequently, there is no need for local laws which only disarm law-abiding citizens.

(6) Legislation is required to correct the District of Columbia's law in order to restore the rights of its citizens under the Second Amendment to the United States Constitution and thereby enhance public safety.

SEC. 3. REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT FIREARMS.

Section 4 of the Act entitled 'An Act to prohibit the killing of wild birds and wild animals in the District of Columbia', approved June 30, 1906 (34 Stat. 809; sec. 1-303.43, D.C. Official Code) is amended by adding at the end the following: 'This section shall not be construed to permit the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons otherwise permitted to possess firearms under Federal law from acquiring, possessing in their homes or businesses, or using for sporting, self-protection or other lawful purposes, any firearm neither prohibited by Federal law nor regulated by the National Firearms Act. The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms.'.

SEC. 4. REPEAL D.C. SEMIAUTOMATIC BAN.

Section 101(10) of the Firearms Control Regulations Act of 1975 (sec. 7-2501.01(10), D.C. Official Code) is amended to read as follows:

'(10) Machine gun means any firearm which shoots, is designed to shoot, or can be readily converted or restored to shoot automatically, more than 1 shot by a single function of the trigger.'.

SEC. 5. REPEAL REGISTRATION REQUIREMENT.

(a) IN GENERAL- Section 201(a) of the Firearms Control Regulations Act of 1975 (sec. 7-2502.01(a), D.C. Official Code) is amended by striking 'any firearm, unless' and all that follows through paragraph (3) and inserting the following: 'any firearm described in subsection (c)'.

(b) DESCRIPTION OF FIREARMS REMAINING ILLEGAL- Section 201 of such Act (sec. 7-2502.01, D.C. Official Code) is amended by adding at the end the following new subsection:

'(c) A firearm described in this subsection is any of the following:

'(1) A sawed-off shotgun.

'(2) A machine gun.

'(3) A short-barreled rifle.'.

SEC. 6. REPEAL HANDGUN AMMUNITION BAN.

Section 601 of the Firearms Control Regulations Act of 1975 (sec. 7-2506.01, D.C. Official Code) is repealed.
SEC. 7. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.

Section 702 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.02, D.C. Official Code) is repealed.

SEC. 8. ADDITIONAL REPEALS.

Sections 202 through 211 of the Firearms Control Regulations Act of 1975 (secs. 7-2502.02 through 7-2502.11, D.C. Official Code) are repealed.

SEC. 9. REMOVE CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS.

(a) IN GENERAL- Section 706 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.06, D.C. Official Code) is amended--
(1) by striking `that:' and all that follows through `(1) A' and inserting `that a'; and
(2) by striking paragraph (2).
(b) EFFECTIVE DATE- The amendments made by subsection (a) shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

SEC. 10. REMOVE CRIMINAL PENALTIES FOR CARRYING A FIREARM IN ONE'S DWELLING OR OTHER PREMISES.

(a) In General- Section 4(a) of the Act of July 8, 1932 (47 Stat. 651; sec. 22--4504(a), D.C. Official Code) is amended--
(1) in the matter before paragraph (1), by striking `a pistol,' and inserting the following: `except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded, a firearm,'; and
(2) by striking `except that:' and all that follows through `(2) If the violation' and inserting `except that if the violation'.
(b) Treatment of Certain Exceptions- Section 5(a) of such Act (47 Stat. 651; sec. 22--4505(a), D.C. Official Code) is amended--
(1) by striking `pistol' each place it appears and inserting `firearm'; and
(2) by striking the period at the end and inserting the following: `, or to any person while carrying or transporting a firearm used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a firearms or hunter safety class, trapping, or a dog obedience training class or show, or the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition while the person is engaged in, on the way to, or returning from that activity if each firearm is unloaded and carried in an enclosed case or an enclosed holster, or to any person carrying or transporting a firearm in compliance with sections 926A, 926B or 926C of title 18, United States Code.'.
(c) Effective Date- The amendments made by this section shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.


Attest:

Clerk.

END