S 1414 IS

108th CONGRESS
1st Session
S. 1414

To restore second amendment rights in the District of Columbia.

IN THE SENATE OF THE UNITED STATES

July 15, 2003

Mr. HATCH (for himself, Mr. MILLER, Mrs. HUTCHISON, Mr. CRAIG, Mr. CORNYN, Mr. SESSIONS, Mr. DOMENICI, Mr. CHAMBLISS, Mr. BURNS, Mr. SUNUNU, Mr. ENZI, Mr. BUNNING, Mr. ALLEN, Mr. STEVENS, Mr. CAMPBELL, Mr. GRASSLEY, Mr. THOMAS, Mr. GRAHAM of South Carolina, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

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.

(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 303.43 of title 1, District of Columbia 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 2501.01(10) of title 7, District of Columbia 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.

Section 2502.01 of title 7, District of Columbia Code, is amended —

(1) in subsection (a) —

(A) by striking ‘, and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm’; and

(B) by striking beginning with ‘A registration’ through paragraph (3); and

(2) in subsection (b)—

(A) in paragraphs (1) and (2), by striking ‘firearm or’;
(B) in paragraph (2), by striking the semicolon at the end and inserting a period; and

(C) by striking paragraph (3).

SEC. 6. REPEAL D.C. HANDGUN BAN.

Section 2502.02 of title 7, District of Columbia Code, is amended —

(1) in subsection (a) —

(A) in paragraph (2), by inserting ‘or’ after the semicolon;

(B) in paragraph (3), by striking ‘; or’ and inserting a period;

(C) by striking paragraph (4); and

(D) by striking ‘(a)’; and

(2) by striking subsection (b).

SEC. 7. REPEAL HANDGUN AMMUNITION BAN.

Section 2506.01 of title 7, District of Columbia Code, is repealed.

SEC. 8. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.

Section 2507.02 of title 7, District of Columbia Code, is repealed.

SEC. 9. ADDITIONAL REPEALS.

Sections 2502.03, 2502.04, 2502.05, 2502.06, 2502.07, 2502.08, 2502.09, 2502.10, and 2502.11 of title 7, District of Columbia Code, are repealed.

SEC. 10. REMOVE CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS.

Section 2507.06 of title 7, District of Columbia Code, is amended —

(1) by striking ‘that:’ through ‘(1) A’ and inserting ‘that a’; and

(2) by striking paragraph (2).
SEC. 11. REMOVE CRIMINAL PENALTIES FOR CARRYING A PISTOL IN ONE'S DWELLING OR OTHER PREMISES.

Section 4504(a) of title 22, District of Columbia Code, is amended —

(1) in the matter before paragraph (1), by inserting ‘, except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded,’ before ‘a pistol’; and

(2) in paragraph (1), by striking ‘a pistol, without a license pursuant to District of Columbia law, or’.

END