

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Spring
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982 to include the placement or display of a noose as an unlawful act; and to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to expand the definition of dangerous weapons to include knuckles made of metal, wood, or plastic.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Title 22 Amendment Act of 2008”.

Sec. 2. Section 3 of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.02), is amended as follows:

Amend
§ 22-3312.02

(a) Subsection (a) is amended as follows:

(1) The lead-in language is amended to read as follows:

“(a) It shall be unlawful for any person to burn, desecrate, mar, deface, or damage a religious or secular symbol on any private premises or property in the District of Columbia primarily used for religious, educational, residential, memorial, charitable, or cemetery purposes, or for assembly by persons of a particular race, color, creed, religion, or any other category listed in section 101 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01), or on any public property in the District of Columbia; or to place or to display in any of these locations a sign, mark, symbol, emblem, or other physical impression including, but not limited to, a Nazi swastika, a noose, or any manner of exhibit which includes a burning cross, real or simulated, where it is probable that a reasonable person would perceive that the intent is:”.

(2) Paragraph (3) is amended to read as follows:

“(3) To threaten another person whereby the threat is a serious expression of an intent to inflict harm; or”.

(b) Subsection (b) is repealed.

Sec. 3. An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 22-4501) is amended to read as follows:

Amend
§ 22-4501

“Sec. 1. Definitions.

“For the purposes of this act, the term:

“(1) "Crime of violence" shall have the same meaning as provided in D.C. Official Code § 23-1331(4).

“(2) "Dangerous crime" means distribution of or possession with intent to distribute a controlled substance. For the purposes of this definition, the term "controlled substance" means any substance defined as such in the District of Columbia Official Code or any Act of Congress.

“(3) “Knuckles” means an object, whether made of metal, wood, plastic, or other similarly durable material that is constructed of one piece, the outside part of which is designed to fit over and cover the fingers on a hand and the inside part of which is designed to be gripped by the fist.

“(4) "Machine gun" means any firearm which shoots automatically or semiautomatically more than 12 shots without reloading.

“(5) "Person" includes individual, firm, association, or corporation.

“(6) "Pistol" means any firearm with a barrel less than 12 inches in length.

“(7) "Playground" means any facility intended for recreation, open to the public, and with any portion of the facility that contains one or more separate apparatus intended for the recreation of children, including, but not limited to, sliding boards, swingsets, and teeterboards.

“(8) "Sawed-off shotgun" means any shotgun with a barrel less than 20 inches in length.

“(9) "Sell" and "purchase" and the various derivatives of such words shall be construed to include letting on hire, giving, lending, borrowing, and otherwise transferring.

“(10) "Video arcade" means any facility legally accessible to persons under 18 years of age, intended primarily for the use of pinball and video machines for amusement, and which contains a minimum of 10 pinball or video machines.

“(11) “Youth center” means any recreational facility or gymnasium (including any parking lot appurtenant thereto), intended primarily for use by persons under 18 years of age, which regularly provides athletic, civic, or cultural activities.”.

(b) Section 14(a) (D.C. Official Code § 22-4514(a)) is amended as follows:

Amend
§ 22-4514

(1) Strike the phrase “sawed-off shotgun” and insert the phrase “sawed-off shotgun, knuckles,” in its place.

(2) Strike the phrase “or metal knuckles,”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia