AN ACT

To provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
TITLE I—DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2009

SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia House Voting Rights Act of 2009”.

SEC. 2. TREATMENT OF DISTRICT OF COLUMBIA AS CONGRESSIONAL DISTRICT.

(a) Congressional District and No Senate Representation.—

(1) In general.—Notwithstanding any other provision of law, the District of Columbia shall be considered a congressional district for purposes of representation in the House of Representatives.

(2) No representation provided in Senate.—The District of Columbia shall not be considered a State for purposes of representation in the United States Senate.

(b) Conforming Amendments Relating to Apportionment of Members of House of Representatives.—

(1) Inclusion of single District of Columbia member in reapportionment of members among states.—Section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent de-
ennial censuses and to provide for apportionment of
Representatives in Congress”, approved June 28,
1929 (2 U.S.C. 2a), is amended by adding at the end the following new subsection:
“(d) This section shall apply with respect to the District of Columbia in the same manner as this section applies to a State, except that the District of Columbia may not receive more than one Member under any reapportionment of Members.”.

(2) Clarification of determination of number of presidential electors on basis of 23rd Amendment.—Section 3 of title 3, United States Code, is amended by striking “come into office;” and inserting “come into office (subject to the twenty-third article of amendment to the Constitution of the United States in the case of the District of Columbia);”.

SEC. 3. INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.

(a) Permanent increase in number of members.—Effective with respect to the 112th Congress, or the first Congress sworn in after the implementation of this Act, and each succeeding Congress, the House of Representatives shall be composed of 437 Members, including
the Member representing the District of Columbia pursuant to section 2(a).

(b) Reapportionment of Members Resulting From Increase.—

(1) In general.—Section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a(a)), is amended by striking “the then existing number of Representatives” and inserting “the number of Representatives established with respect to the 112th Congress, or the first Congress sworn in after implementation of the District of Columbia House Voting Rights Act of 2009”.

(2) Effective date.—The amendment made by paragraph (1) shall apply with respect to the regular decennial census conducted for 2010 and each subsequent regular decennial census.

(c) Transmittal of Revised Apportionment Information by President.—

(1) Statement of apportionment by president.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a revised version of the most recent
statement of apportionment submitted under section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 28, 1929 (2 U.S.C. 2a), to take into account this Act and the amendments made by this Act. The statement shall reflect that the District of Columbia is entitled to one Representative and shall identify the other State entitled to one representative under this section. Pursuant to section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, and the regular decennial census conducted for 2000, the State entitled to the one additional representative is Utah.

(2) REPORT BY CLERK.—Not later than 15 calendar days after receiving the revised version of the statement of apportionment under paragraph (1), the Clerk of the House of Representatives shall submit a report to the Speaker of the House of Representatives indicating that the District of Columbia is entitled to one Representative and identifying the State which is entitled to one additional Representa-
tive pursuant to this section. Pursuant to section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, and the regular decennial census conducted for 2000, the State entitled to the one additional representative is Utah.

(3) ADDITIONAL STATEMENTS AND REPORTS.—

(A) IN GENERAL.—Subject to subparagraph (B) and following the revised statement of apportionment and subsequent report under paragraphs (1) and (2), the Statement of Apportionment by the President and subsequent reports by the Clerk of the House of Representatives shall continue to be issued at the intervals and pursuant to the methodology specified under section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act.

(B) FAILURE TO COMPLETE.—In the event that the revised statement of apportionment
and subsequent report under paragraphs (1) and (2) can not be completed prior to the issuance of the regular statement of apportionment and subsequent report under section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, the President and Clerk may disregard paragraphs (1) and (2).

SEC. 4. UTAH REDISTRICTING PLAN.

The general election for the additional Representative to which the State of Utah is entitled for the 112th Congress, pursuant to section 3(c), shall be elected pursuant to a redistricting plan enacted by the State, such as the plan the State of Utah signed into law on December 5, 2006, which—

(1) revises the boundaries of congressional districts in the State to take into account the additional Representative to which the State is entitled under section 3; and 

(2) remains in effect until the taking effect of the first reapportionment occurring after the regular decennial census conducted for 2010.
SEC. 5. EFFECTIVE DATE.

The additional Representative other than the Representa-tive from the District of Columbia, pursuant to section 3(c), and the Representative from the District of Co-lumbia shall be sworn in and seated as Members of the House of Representatives on the same date as other Members of the 112th Congress or the first Congress sworn in after implementation of this Act.

SEC. 6. CONFORMING AMENDMENTS.

(a) Repeal of Office of District of Columbia Delegate.—

(1) Repeal of office.—

(A) In general.—Sections 202 and 204 of the District of Columbia Delegate Act (Public Law 91–405; sections 1–401 and 1–402, D.C. Official Code) are repealed, and the provi-sions of law amended or repealed by such sections are restored or revived as if such sections had not been enacted.

(B) Effective date.—The amendments made by this subsection shall take effect on the date on which a Representative from the Dis-trict of Columbia takes office.

(2) Conforming amendments to district of Columbia elections code of 1955.—The Dis-
District of Columbia Elections Code of 1955 is amended as follows:

(A) In section 1 (sec. 1–1001.01, D.C. Official Code), by striking “the Delegate to the House of Representatives,” and inserting “the Representative in Congress,”.

(B) In section 2 (sec. 1–1001.02, D.C. Official Code)—

(i) by striking paragraph (6); and

(ii) in paragraph (13), by striking “the Delegate to Congress for the District of Columbia,” and inserting “the Representative in Congress,”.

(C) In section 8 (sec. 1–1001.08, D.C. Official Code)—

(i) in the heading, by striking “Delegate” and inserting “Representative”; and

(ii) by striking “Delegate,” each place it appears in subsections (h)(1)(A), (i)(1), and (j)(1) and inserting “Representative in Congress,”.

(D) In section 10 (sec. 1–1001.10, D.C. Official Code)—

(i) in subsection (a)(3)(A)—
(I) by striking “or section 206(a) of the District of Columbia Delegate Act”; and

(II) by striking “the office of Delegate to the House of Representatives” and inserting “the office of Representative in Congress”; (ii) in subsection (d)(1), by striking “Delegate,” each place it appears; and

(iii) in subsection (d)(2)—

(I) by striking “(A) In the event” and all that follows through “term of office,” and inserting “In the event that a vacancy occurs in the office of Representative in Congress before May 1 of the last year of the Representative’s term of office,”; and

(II) by striking subparagraph (B).

(F) In section 15(b) (sec. 1–1001.15(b), D.C. Official Code), by striking “Delegate,” and inserting “Representative in Congress,”.

(G) In section 17(a) (sec. 1–1001.17(a), D.C. Official Code), by striking “the Delegate to Congress from the District of Columbia” and inserting “the Representative in Congress”.

(b) REPEAL OF OFFICE OF STATEHOOD REPRESENTATIVE.—

(1) IN GENERAL.—Section 4 of the District of Columbia Statehood Constitutional Convention Initiative of 1979 (sec. 1–123, D.C. Official Code) is amended as follows:

(A) By striking “offices of Senator and Representative” each place it appears in subsection (d) and inserting “office of Senator”.

(B) In subsection (d)(2)—

(i) by striking “a Representative or”;

(ii) by striking “the Representative or”; and

(iii) by striking “Representative shall be elected for a 2-year term and each”.

(C) In subsection (d)(3)(A), by striking “and 1 United States Representative”.

†S 160 ES
(D) By striking “Representative or” each place it appears in subsections (e), (f), (g), and (h).

(E) By striking “Representative’s or” each place it appears in subsections (g) and (h).

(2) CONFORMING AMENDMENTS.—

(A) STATEHOOD COMMISSION.—Section 6 of such Initiative (sec. 1–125, D.C. Official Code) is amended—

(i) in subsection (a)—

(I) by striking “27 voting members” and inserting “26 voting members”;  
(II) by adding “and” at the end of paragraph (5); and  
(III) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6); and  
(ii) in subsection (a–1)(1), by striking subparagraph (H).

(B) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Initiative (sec. 1–127, D.C. Official Code) is amended by striking “and House”.

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(C) Application of Honoraria Limitations.—Section 4 of D.C. Law 8–135 (sec. 1–131, D.C. Official Code) is amended by striking "or Representative" each place it appears.

(D) Application of Campaign Finance Laws.—Section 3 of the Statehood Convention Procedural Amendments Act of 1982 (sec. 1–135, D.C. Official Code) is amended by striking "and United States Representative".


(i) in section 2(13) (sec. 1–1001.02(13), D.C. Official Code), by striking "United States Senator and Representative," and inserting "United States Senator,"; and

(ii) in section 10(d) (sec. 1–1001.10(d)(3), D.C. Official Code), by striking "United States Representative or".

(3) Effective Date.—The amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office.
(c) Conforming Amendments Regarding Appointments to Service Academies.—

(1) United States Military Academy.—Section 4342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking “the District of Columbia,”.

(2) United States Naval Academy.—Such title is amended—

(A) in section 6954(a), by striking paragraph (5); and

(B) in section 6958(b), by striking “the District of Columbia,”.

(3) United States Air Force Academy.—Section 9342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking “the District of Columbia,”.

(4) Effective Date.—This subsection and the amendments made by this subsection shall take ef-
fect on the date on which a Representative from the District of Columbia takes office.

SEC. 7. NONSEVERABILITY OF PROVISIONS AND NON-APPLICABILITY.

(a) NONSEVERABILITY.—If any provision of section 2(a)(1), 2(b)(1), or 3 or any amendment made by those sections is declared or held invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Act or any amendment made by this Act shall be treated and deemed invalid and shall have no force or effect of law.

(b) NONAPPLICABILITY.—Nothing in the Act shall be construed to affect the first reapportionment occurring after the regular decennial census conducted for 2010 if this Act has not taken effect.

SEC. 8. JUDICIAL REVIEW.

(a) SPECIAL RULES FOR ACTIONS BROUGHT ON CONSTITUTIONAL GROUNDS.—If any action is brought to challenge the constitutionality of any provision of this Act or any amendment made by this Act, the following rules shall apply:

(1) The action shall be filed in the United States District Court for the District of Columbia and shall be heard by a 3-judge court convened pur-
suant to section 2284 of title 28, United States Code.

(2) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(4) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) INTERVENTION BY MEMBERS OF CONGRESS.—

(1) IN GENERAL.—In any action in which the constitutionality of any provision of this Act or any amendment made by this Act is challenged (including an action described in subsection (a)), any member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or the Senate shall have the right to intervene or file legal pleadings or briefs either in support of or oppo-
sition to the position of a party to the case regarding the constitutionality of the provision or amendment.

(2) COURT EFFICIENCY.—To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any action described in paragraph (1) may make such orders as it considers necessary, including orders to require intervenors taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

(c) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), to challenge the constitutionality of any provision of this Act or any amendment made by this Act.

SEC. 9. FCC AUTHORITIES.

(a) CLARIFICATION OF GENERAL POWERS.—Title III of the Communications Act of 1934 is amended by inserting after section 303 (47 U.S.C. 303) the following new section:

"SEC. 303B. CLARIFICATION OF GENERAL POWERS."

"(a) CERTAIN AFFIRMATIVE ACTIONS REQUIRED.—The Commission shall take actions to encourage and promote diversity in communication media ownership and to
ensure that broadcast station licenses are used in the public interest.

“(b) CONSTRUCTION.—Nothing in section 303A shall be construed to limit the authority of the Commission regarding matters unrelated to a requirement that broadcasters present or ascertain opposing viewpoints on issues of public importance.”.

(b) SEVERABILITY.—Notwithstanding section 7(a), if any provision of section 2(a)(1), 2(b)(1), or 3 or any amendment made by those sections is declared or held invalid or unenforceable by a court of competent jurisdiction, the amendment made by subsection (a) and the application of such amendment to any other person or circumstance shall not be affected by such holding.

SEC. 10. FAIRNESS DOCTRINE PROHIBITED.

(a) LIMITATION ON GENERAL POWERS: FAIRNESS DOCTRINE.—Title III of the Communications Act of 1934 is amended by inserting after section 303 (47 U.S.C. 303) the following new section:

“SEC. 303A. LIMITATION ON GENERAL POWERS: FAIRNESS DOCTRINE.

Notwithstanding section 303 or any other provision of this Act or any other Act authorizing the Commission to prescribe rules, regulations, policies, doctrines, standards, guidelines, or other requirements, the Commission
shall not have the authority to prescribe any rule, regulation, policy, doctrine, standard, guideline, or other requirement that has the purpose or effect of reinstating or re-promulgating (in whole or in part)—

“(1) the requirement that broadcasters present or ascertain opposing viewpoints on issues of public importance, commonly referred to as the ‘Fairness Doctrine’, as repealed in In re Complaint of Syracuse Peace Council against Television Station WTVH, Syracuse New York, 2 FCC Rcd. 5043 (1987); or

“(2) any similar requirement that broadcasters meet programming quotas or guidelines for issues of public importance.”.

(b) SEVERABILITY.—Notwithstanding section 7(a), if any provision of section 2(a)(1), 2(b)(1), or 3 or any amendment made by those sections is declared or held invalid or unenforceable by a court of competent jurisdiction, the amendment made by subsection (a) and the application of such amendment to any other person or circumstance shall not be affected by such holding.
TITLE II—SECOND AMENDMENT ENFORCEMENT ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Second Amendment Enforcement Act”.

SEC. 202. 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) As the Congress and the Supreme Court of the United States have recognized, 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 United States for sporting use and for lawful defense of their persons, homes, businesses, 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 posses-
sion of firearms by law-abiding persons who would
otherwise be able to defend themselves and their
loved ones in their own homes and businesses.

(5) The Federal Gun Control Act of 1968, as
amended by the Firearms Owners’ Protection Act of
1986, and the Brady Handgun Violence Prevention
Act of 1993, provide comprehensive Federal regula-
tions applicable in the District of Columbia as else-
where. In addition, existing District of Columbia
criminal laws punish possession and illegal use of
firearms by violent criminals and felons. Con-
sequently, there is no need for local laws which only
affect and disarm law-abiding citizens.

(6) Officials of the District of Columbia have
indicated their intention to continue to unduly re-
strict lawful firearm possession and use by citizens
of the District.

(7) Legislation is required to correct the Dis-
trict of Columbia’s law in order to restore the funda-
mental rights of its citizens under the Second
Amendment to the United States Constitution and
thereby enhance public safety.
SEC. 203. 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: “Nothing in this section or any other provision of law shall authorize, or shall 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 not prohibited from possessing 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 subject to 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. Nothing in the previous two sentences shall be construed to prohibit the District of Columbia from regulating or prohibiting the carrying of firearms by a person, either concealed or openly, other than at the person’s dwelling place, place of business, or on other land possessed by the person.”.
SEC. 204. REPEAL D.C. SEMIAUTOMATIC BAN.

(a) IN GENERAL.—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 may be readily restored to shoot automatically, more than 1 shot without manual reloading by a single function of the trigger, and includes the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.”.

(b) CONFORMING AMENDMENT TO PROVISIONS SETTING FORTH CRIMINAL PENALTIES.—Section 1(c) of the Act of July 8, 1932 (47 Stat. 651; sec. 22–4501(c), D.C. Official Code) is amended to read as follows:

“(c) ‘Machine gun’, as used in this Act, has the meaning given such term in section 101(10) of the Firearms Control Regulations Act of 1975.”.

SEC. 205. REPEAL REGISTRATION REQUIREMENT.

(a) REPEAL OF REQUIREMENT.—
(1) 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 (e).”.

(2) 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:

“(e) 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.”.

(3) CONFORMING AMENDMENT.—The heading of section 201 of such Act (sec. 7–2502.01, D.C. Official Code) is amended by striking “Registration requirements” and inserting “Firearm Possession”.

(b) CONFORMING AMENDMENTS TO FIREARMS CONTROL REGULATIONS ACT.—The Firearms Control Regulations Act of 1975 is amended as follows:

(1) Sections 202 through 211 (secs. 7–2502.02 through 7–2502.11, D.C. Official Code) are repealed.
(2) Section 101 (sec. 7–2501.01, D.C. Official Code) is amended by striking paragraph (13).

(3) Section 401 (sec. 7–2504.01, D.C. Official Code) is amended—

(A) in subsection (a), by striking “the District;” and all that follows and inserting the following: “the District, except that a person may engage in hand loading, reloading, or custom loading of ammunition for firearms lawfully possessed under this Act.”; and

(B) in subsection (b), by striking “which are unregisterable under section 202” and inserting “which are prohibited under section 201”.

(4) Section 402 (sec. 7–2504.02, D.C. Official Code) is amended—

(A) in subsection (a), by striking “Any person eligible to register a firearm” and all that follows through “such business,” and inserting the following: “Any person not otherwise prohibited from possessing or receiving a firearm under Federal or District law, or from being licensed under section 923 of title 18, United States Code,”; and
(B) in subsection (b), by amending paragraph (1) to read as follows:

“(1) The applicant’s name;”.

(5) Section 403(b) (sec. 7–2504.03(b), D.C. Official Code) is amended by striking “registration certificate” and inserting “dealer’s license”.

(6) Section 404(a)(3) (sec. 7–2504.04(a)(3)), D.C. Official Code) is amended—

(A) in subparagraph (B)(i), by striking “registration certificate number (if any) of the firearm,”;

(B) in subparagraph (B)(iv), by striking “holding the registration certificate” and inserting “from whom it was received for repair”;

(C) in subparagraph (C)(i), by striking “and registration certificate number (if any) of the firearm”;

(D) in subparagraph (C)(ii), by striking “registration certificate number or”; and

(E) by striking subparagraphs (D) and (E).

(7) Section 406(c) (sec. 7–2504.06(c), D.C. Official Code) is amended to read as follows:
“(c) Within 45 days of a decision becoming effective which is unfavorable to a licensee or to an applicant for a dealer’s license, the licensee or application shall—

“(1) lawfully remove from the District all destructive devices in his inventory, or peaceably surrender to the Chief all destructive devices in his inventory in the manner provided in section 705; and

“(2) lawfully dispose, to himself or to another, any firearms and ammunition in his inventory.”.

(8) Section 407(b) (sec. 7–2504.07(b), D.C. Official Code) is amended by striking “would not be eligible” and all that follows and inserting “is prohibited from possessing or receiving a firearm under Federal or District law.”.

(9) Section 502 (sec. 7–2505.02, D.C. Official Code) is amended—

(A) by amending subsection (a) to read as follows:

“(a) Any person or organization not prohibited from possessing or receiving a firearm under Federal or District law may sell or otherwise transfer ammunition or any firearm, except those which are prohibited under section 201, to a licensed dealer.”;

(B) by amending subsection (c) to read as follows:
“(c) Any licensed dealer may sell or otherwise transfer a firearm to any person or organization not otherwise prohibited from possessing or receiving such firearm under Federal or District law.”;

(C) in subsection (d), by striking paragraphs (2) and (3); and

(D) by striking subsection (e).

(10) Section 704 (sec. 7–2507.04, D.C. Official Code) is amended—

(A) in subsection (a), by striking “any registration certificate or” and inserting “a”; and

(B) in subsection (b), by striking “registration certificate,.”.

(c) OTHER CONFORMING AMENDMENTS.—Section 2(4) of the Illegal Firearm Sale and Distribution Strict Liability Act of 1992 (sec. 7–2531.01(4), D.C. Official Code) is amended—

(1) in subparagraph (A), by striking “or ignoring proof of the purchaser’s residence in the District of Columbia”; and

(2) in subparagraph (B), by striking “registration and”.

SEC. 206. REPEAL HANDGUN AMMUNITION BAN.

Section 601(3) of the Firearms Control Regulations Act of 1975 (sec. 7–2506.01(3), D.C. Official Code) is

†S 160 ES
amended by striking “is the holder of the valid registration certificate for” and inserting “owns”.

SEC. 207. 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. 208. 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. 209. 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) CONFORMING AMENDMENT.—Section 5 of such Act (47 Stat. 651; sec. 22–4505, D.C. Official Code) is amended—

(1) by striking “pistol” each place it appears and inserting “firearm”; and

(2) by striking “pistols” each place it appears and inserting “firearms”.

SEC. 210. AUTHORIZING PURCHASES OF FIREARMS BY DISTRICT RESIDENTS.

Section 922 of title 18, United States Code, is amended in paragraph (b)(3) by inserting after “other than a State in which the licensee’s place of business is located” the following: “, or to the sale or delivery of a handgun to a resident of the District of Columbia by a licensee whose place of business is located in Maryland or Virginia,”.
SEC. 211. REPEALS OF DISTRICT OF COLUMBIA ACTS.

The Firearms Registration Amendment Act of 2008 and the Firearms Registration Emergency Amendment Act of 2008, as passed by the District of Columbia, are repealed.

SEC. 212. SEVERABILITY.

Notwithstanding any other provision of this Act, if any provision of this Act, or any amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this title and amendments made by this title, and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

Passed the Senate February 26, 2009.

Attest:

Secretary.
AN ACT

To provide the District of Columbia with a voting seat in the House of Representatives and the State of Utah with an additional seat in the House of Representatives.

S. 160
111th Congress