



2018 JAN -5 PM 4:22
OFFICE OF THE
SECRETARY

MURIEL BOWSER

MAYOR
JAN 5 2018

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., NW, Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is a proposed resolution entitled the "DCRA Licensing Fee Approval Resolution of 2018."

This resolution would approve of a rulemaking which ensures that the endorsement for stun gun sales required by the "Stun Gun Regulation Amendment Act of 2016" (D.C. Law 21-281), exists for those wishing to sell stun guns in the District of Columbia.

If you have any questions on this matter, please contact Melinda Bolling, Director, Department of Consumer and Regulatory Affairs, at (202) 442-8935.


Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser", written in a cursive style.

Muriel Bowser

Enclosures

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Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the proposed rules to amend Title 17 (Department of Consumer and Regulatory Licensing Fee) of the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DCRA Licensing Fee Approval Resolution of 2018."

Sec. 2. Pursuant to Section 101(b) of the Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law 12-86; D.C. Official Code § 47-2851.04(c)(1)), Section 10(b) of 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. 652; D.C. Official Code § 22-4510(b) and Section 3 of the Streamlining Regulation Act of 2003, effective October 28, 2003 (D.C. Law 15-38; 50 DCR 6913), the Council approves the proposed rules, published at 64 DCR 7274, to amend Title 17 of the District of Columbia Municipal Regulations.

Sec. 3. The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 603(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. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its

1 adoption, to the Director of the Department of Consumer and Regulatory Affairs.

2 Sec. 5. This resolution shall take effect immediately.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Consumer and Regulatory Affairs (Director), pursuant to Section 101(b) of the Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law 12-86; D.C. Official Code § 47-2851.04(c)(1) (2015 Repl.)), Section 10(b) of 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. 652; D.C. Official Code § 22-4510(b) (2012 Repl.)), and Section 3 of the Streamlining Regulation Act of 2003, effective October 28, 2003 (D.C. Law 15-38; 50 DCR 6913 (August 22, 2003)), hereby gives notice of the adoption of the following amendment to Chapter 5 (Basic Business License Schedule of Fees) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR)

This emergency rulemaking amends Chapter 5 to add a fee schedule in a new Section 517.

Emergency action is needed to ensure that the endorsement for stun gun sales required by the “Stun Gun Regulation Emergency Amendment Act of 2016” (D.C. Bill 21-986), and substantially similar emergency, temporary, and permanent legislation, exists for those wishing to sell stun guns in the District of Columbia.

Pursuant to D.C. Law 12-86, the Director may issue rules amending the special license and permits fees. This emergency rulemaking was adopted on June 27, 2017, and became effective immediately on that date. It will remain in effect for up to one hundred and twenty (120) days, unless earlier superseded by a notice of final rulemaking published in the *D.C. Register*. The rules will expire on October 25, 2017.

The Director also hereby gives notice of the intent to take final rulemaking action to adopt this amendment. Pursuant to Section 10(a) of the Act, the proposed amendment will be submitted to the Council of the District of Columbia for a forty-five (45) day period of review, and final rulemaking action will not be taken until the later of thirty (30) days after the date of publication of this notice in the *D.C. Register* or Council approval of the amendment.

Chapter 5, BASIC BUSINESS LICENSE SCHEDULE OF FEES, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended by adding the following Section 517:

517 STUN GUN SALES ENDORSEMENT

517.1 The Director shall charge fees for business license categories with a Stun Gun Sales Endorsement as follows:

- (a) Stun gun sales: \$200.00

All persons desiring to comment on these proposed regulations should submit written comments to Annie McCarthy, Legislative Affairs Specialist, Department of Consumer and Regulatory Affairs, 1100 Fourth Street, S.W., Room 5164, Washington, D.C. 20024, or by e-mail to annie.mccarthy@dc.gov, not later than thirty (30) days after publication of this notice in the *D.C. Register*. Copies of the proposed rules can be obtained from the address listed above.


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: November 14, 2017

SUBJECT: Fiscal Impact Statement -DCRA Licensing Fee Approval Resolution of 2017

REFERENCE: Draft Resolution provided to the Office of Revenue Analysis on November 6, 2017

Conclusion

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the resolution.

Background

A business that sells more than five stun guns over twelve months is required to obtain a stun gun endorsement on its general business license.¹ The Department of Consumer and Regulatory Affairs created the endorsement on an emergency basis² to meet the requirements of the law that regulates stun guns in the District. The resolution permanently approves the stun gun endorsement on business licenses with a fee of \$200 per endorsement.

Financial Plan Impact

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the resolution. Since the emergency endorsement was established in June, no businesses have requested the endorsement. There does not appear to be a large demand for the endorsement currently, so fee revenues are unlikely to increase. Any fees received will go to the General Fund.

¹ See Stun Gun Regulation Amendment Act of 2016, effective May 19, 2017 (D.C. Law 21-281; 64 DCR 5223).

² Emergency rulemaking was adopted June 27, 2017. See 17 DCMR § 517.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Alana Intriери
Executive Director
Office of Policy and Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: October 27, 2017

SUBJECT: Legal Certification of Draft Approval Resolution, the "DCRA Licensing Fee Approval Resolution of 2017" "
(AE-17-168C)

This is to Certify that this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

A handwritten signature in cursive script, appearing to read "Janet M. Robins".

Janet M. Robins