

# ENROLLMENT(S)

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# COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

### D.C. LAW 12-190

#### **"Office of the Inspector General Law Enforcement Powers Amendment Act of 1998"**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-622, on first and second readings, July 7, 1998 and September 22, 1998, respectively. Following the signature of the Mayor on October 2, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-461 and published in the November 6, 1998, edition of the D.C. Register (Vol. 45 page 7814) and transmitted to Congress on January 25, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-190, effective March 26, 1999.



LINDA W CROPP  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

AN ACT

D.C. ACT 12-461

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 2, 1998

*Codification  
District of  
Columbia  
Code  
1999 Supp.*

To amend the District of Columbia Procurement Practices Act of 1985 and 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 allow investigators employed by the Office of the Inspector General to carry firearms, to make arrests if a felony violation is being committed in the presence of the investigator, and to apply for and execute search warrants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the "Office of the Inspector General Law Enforcement Powers Amendment Act of 1998".

Sec. 2. Section 208 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1182.8), is amended by adding a new subsection (f-1) to read as follows:

**Section  
1-1182.8**

"(f-1) An employee of the Office of the Inspector General who, as part of his or her official duties, conducts investigations of alleged felony violations, shall possess the following authority while engaged in the performance of official duties:

"(1) To carry a firearm within the District of Columbia or a District government facility located outside of the District, provided that the employee has completed a course of training in the safe handling of firearms and the use of deadly force, and is qualified to use a firearm according to the standards applicable to officers of the Metropolitan Police Department. The employee may not carry a firearm in the course of official duties unless designated by the Inspector General in writing as having the authority to carry a firearm. The Inspector General shall issue written guidelines pertaining to the authority to carry firearms, the appropriate use of firearms, firearms issuance and security, and the use of force;

"(2) To make an arrest without a warrant if the employee has probable cause to believe that a felony violation of a federal or District of Columbia statute is being committed in his or her presence, provided that the arrest is made while the employee is engaged in the performance of his or her official duties within the District of Columbia or a District government facility located outside of the District; and

**ENROLLED ORIGINAL**

"(3) To serve as an affiant for, to apply to an appropriate judicial officer for, and execute a warrant for the search of premises or the seizure of evidence if the warrant is issued under authority of the District of Columbia or of the United States upon probable cause."

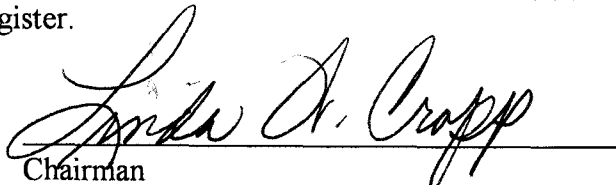
Sec. 3. Section 5(a) of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 651; D.C. Code § 22-3205(a)), is amended by inserting the phrase "including criminal investigators of the Office of the Inspector General, designated in writing by the Inspector General, while engaged in the performance of their official duties," after the phrase "duly appointed law-enforcement officers,".


Section  
22-3205

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the Committee Report on Bill 12-622 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. Code § 1-233 (c)(3)).

Sec. 5. 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), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), 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. Code § 1-233(c)(2)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia

APPROVED: October 2, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD TWELVE

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B12-622

ITEM ON CONSENT CALENDAR

ADOPTED FIRST READING, 7-7-98

ACTION & DATE

APPROVED

VOICE VOTE  
RECORDED VOTE ON REQUEST

ALL PRESENT

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*September 23, 1998*  
Date

ITEM ON CONSENT CALENDAR

ADOPTED FINAL READING, 9-22-98

ACTION & DATE

APPROVED

VOICE VOTE  
RECORDED VOTE ON REQUEST

MASON

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*September 23, 1998*  
Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE

| | VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date