



Council of the
DISTRICT OF COLUMBIA

Code of the District of Columbia

§ 22–4503. Unlawful possession of firearm.

(a) No person shall own or keep a firearm, or have a firearm in his or her possession or under his or her control, within the District of Columbia, if the person:

(1) Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(2) Is not licensed under [§ 22-4510](#) to sell weapons, and the person has been convicted of violating this chapter;

(3) Is a fugitive from justice;

(4) Is addicted to any controlled substance, as defined in [§ 48-901.02\(4\)](#);

(5) Is subject to a court order that:

(A)(i) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate; or

(ii) Remained in effect after the person failed to appear for a hearing of which the person received actual notice;

(B) Restrains the person from assaulting, harassing, stalking, or threatening any person named in the order, or requires the person to stay away from, or have no contact with, any other person or a location; and

(C) Requires the person to relinquish possession of any firearms;

(6) Has been convicted within the past 5 years of an intrafamily offense, as defined in D.C. Official Code [§ 16-1001\(8\)](#), punishable as a misdemeanor, or any similar provision in the law of another jurisdiction.

(b)(1) A person who violates subsection (a)(1) of this section shall be sentenced to imprisonment for not more than 10 years and shall be sentenced to imprisonment for a mandatory-minimum term of 1 year, unless she or he has a prior conviction for a crime of violence other than conspiracy, in which case she or he shall be sentenced to imprisonment for not more than 15 years and shall be sentenced to a mandatory-minimum term of 3 years.

(2) A person sentenced to a mandatory-minimum term of imprisonment under paragraph (1) of this subsection shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory-minimum sentence.

(3) In addition to any other penalty provided under this subsection, a person may be fined an amount not more than the amount set forth in [§ 22-3571.01](#).

(c) A person who violates subsection (a)(2) through (a)(6) of this section shall be sentenced to not less than 2 years nor more than 10 years, fined not more than the amount set forth in [§ 22-3571.01](#), or both.

(d) For the purposes of this section, the term:

(1) “Crime of violence” shall have the same meaning as provided in [§ 23-1331\(4\)](#), or a crime under the laws of any other jurisdiction that involved conduct that would constitute a crime of violence if committed in the District of Columbia, or conduct that is substantially similar to that prosecuted as a crime of violence under the District of Columbia Official Code.

(2) “Fugitive from justice” means a person who has:

(A) Fled to avoid prosecution for a crime or to avoid giving testimony in a criminal proceeding; or

(B) Escaped from a federal, state, or local prison, jail, halfway house, or detention facility or from the custody of a law enforcement officer.

([July 8, 1932, 47 Stat. 651, ch. 465, § 3](#); June 29, 1953, 67 Stat. 93, ch. 159, § 204(b); [May 21, 1994, D.C. Law 10-119, § 15\(b\), 41 DCR 1639](#); [Apr. 24, 2007, D.C. Law 16-306, § 223\(c\), 53 DCR 8610](#); [Dec. 10, 2009, D.C. Law 18-88, § 219\(b\), 56 DCR 7413](#); [June 3, 2011, D.C. Law 18-377, § 13, 58 DCR 1174](#); [Sept. 29, 2012, D.C. Law 19-170, § 3\(c\), 59 DCR 5691](#); [June 11, 2013, D.C. Law 19-317, §§ 240\(a\), 304, 60 DCR 2064](#); [Apr. 21, 2023, D.C. Law 24-347, § 3\(a\), 70 DCR 928](#).)

Prior Codifications

1981 Ed., § 22-3203.

1973 Ed., § 22-3203.

Section References

This section is referenced in [§ 7-2502.03](#), [§ 7-2507.06a](#), [§ 16-801](#), [§ 22-4507](#), [§ 22-4508](#), [§ 22-4510](#), [§ 23-1322](#), [§ 24-403](#), [§ 24-403.01](#), and [§ 24-906](#).

Effect of Amendments

[D.C. Law 16-306](#) substituted “firearm” for “pistol” throughout the section; and rewrote subsec. (b), which had read as follows: “(b) No person shall keep a pistol for, or intentionally make a pistol available to, such a person, knowing that such person has been so convicted or that such person is a drug addict. Whoever violates this section shall be punished as provided in [§ 22-4515](#), unless the violation occurs after such person has been convicted of a violation of this section, in which case such person shall be imprisoned for not more than 10 years.”

[D.C. Law 18-88](#) rewrote the section.

[D.C. Law 18-377](#), in subsec. (a)(5)(C), deleted “(as provided in [§ 16-1005\(c\)\(10\)](#))” following “firearms”.

The 2012 amendment by [D.C. Law 19-170](#), in (a)(6), added “within the past 5 years” and substituted “D.C. Official Code [§ 16-1001\(8\)](#), punishable as a misdemeanor, or any similar provision in the law of” for “[§ 16-1001](#), or a substantially similar offense in.”

The 2013 amendment by [D.C. Law 19-317](#) added (b)(3); and substituted “not more than the amount set forth in [§ 22-3571.01](#)” for “not more than \$15,000” in (c).

Cross References

Firearms control, eligibility for registration certificates, see [§ 7-2502.03](#).

Forfeiture of vehicles and vessels for weapons offenses, see [§ 7-2507.06a](#).

Indeterminate, minimum and maximum sentences, convictions under this section, see [§ 24-403](#).

Sentencing, supervised release, and good time credit for felony convictions under this section committed on or after August 5, 2000, see [§ 24-403.01](#).

Emergency Legislation

For temporary authorization for seizure and forfeiture of firearms under certain circumstances, see § 2 of the Zero Tolerance for Guns Emergency Amendment Act of 1996 (D.C. Act 11-390, August 26, 1996, 43 DCR 4986).

For temporary (90 day) amendment of section, see § 223(c) of Omnibus Public Safety Emergency Amendment Act of 2006 (D.C. Act 16-445, July 19, 2006, 53 DCR 6443).

For temporary (90 day) amendment of section, see § 223(c) of Omnibus Public Safety Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-490, October 18, 2006, 53 DCR 8686).

For temporary (90 day) amendment of section, see § 223(c) of Omnibus Public Safety Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-10, January 16, 2007, 54 DCR 1479).

For temporary (90 day) amendment of section, see § 223(c) of Omnibus Public Safety Second Congressional Review Emergency Amendment Act of 2007 (D.C. Act 17-25, April 19, 2007, 54 DCR 4036).

For temporary (90 day) additions, see § 2(b) of Inoperable Pistol Emergency Amendment Act of 2008 (D.C. Act 17-652, January 6, 2009, 56 DCR 927).

For temporary (90 day) additions, see § 2(b) of Inoperable Pistol Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-24, March 16, 2009, 56 DCR 2309).

For temporary (90 day) amendment of section, see § 302(c) of Crime Bill Emergency Amendment Act of 2009 (D.C. Act 18-129, June 29, 2009, 56 DCR 5495).

For temporary (90 day) amendment of section, see § 219(b) of Omnibus Public Safety and Justice Emergency Amendment Act of 2009 (D.C. Act 18-181, August 6, 2009, 56 DCR 6903).

For temporary (90 day) amendment of section, see § 219(b) of Omnibus Public Safety and Justice Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-227, October 21, 2009, 56 DCR 8668).

For temporary (90 day) amendment of section, see § 513 of Public Safety Legislation Sixty-Day Layover Emergency Amendment Act of 2010 (D.C. Act 18-693, January 18, 2011, 58 DCR 640).

For temporary (90 day) amendment of section, see § 513 of Public Safety Legislation Sixty-Day Layover Congressional Review Emergency Amendment Act of 2011 (D.C. Act 19-45, April 20, 2011, 58 DCR 3701).

For temporary (90 day) amendment of section, see § 3(c) of Firearms Emergency Amendment Act of 2012 (D.C. Act 19-352, May 11, 2012, 59 DCR 5116).

For temporary amendment of (a)(6), see § 3(c) of the Firearms Second Congressional Review Emergency Amendment Act of 2012 (D.C. Act 19-510, October 26, 2012, 59 DCR 12808).

For temporary (90 days) amendment of this section, see §§ 240(a) and 304 of the Criminal Fine Proportionality Emergency Act of 2013 (D.C. Act 20-45, April 1, 2013, 60 DCR 5400, 20 DCSTAT

1300).

Editor's Notes

Seizure and forfeiture of conveyances used in firearms offenses[Section 2(b) of [D.C. Law 11-273](#) provided for the forfeiture and seizure of any conveyance, including vehicles and vessels in which any person or persons transport, possess, or conceal any firearm as defined in § 6-2302 [[§ 7-2501.01](#), 2001 Ed.], or in any manner use to facilitate a violation of §§ 22-3203 and 22-3204]§§ 22-4503 and 22-4504, 2001 Ed.].

Applicability of [D.C. Law 19-317](#): Section 401 of [D.C. Law 19-317](#) provided that the act shall apply only to offenses committed on or after June 11, 2013.

PUBLICATION INFORMATION

Current through

Sept. 6, 2023

Last codified D.C. Law:

[Law 25-50 effective Sept. 6, 2023](#)

Last codified Emergency Law:

[Act 25-215 effective Aug. 2, 2023](#)

Last codified Federal Law:

[Public Law 115-334 approved Dec. 20, 2018](#)

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