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COUNCIL OF THE DISTRICT OF COLUMBIA

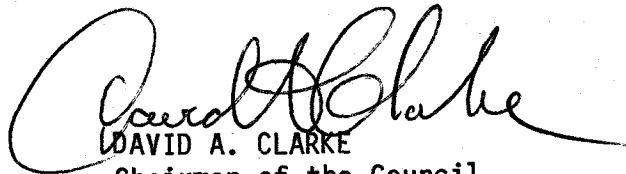
NOTICE

D.C. LAW 10-194

"Repeat Offender Life Without Parole Amendment Act of 1994".

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. 10-478 on first and second readings, June 7, 1994 and June 21, 1994, respectively. Following the signature of the Mayor on June 21, 1994, this legislation was assigned Act No. 10-254, and published in the July 1, 1994, edition of the D.C. Register (Vol.41 page 4283) and transmitted to Congress on June 22, 1994 for a 60-day review, in accordance with Section 602(c)(2) of the Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-194 effective October 7, 1994.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 60-day Congressional Review Period:

June	22,23,24,27,28,29,30,
July	12,13,14,15,18,19,20,21,22,25,26,27,28,29
August	1,2,3,4,5,8,9,10,11,12,15,16,17,18,19,22,23,24,25,26
September	12,13,14,15,16,19,20,21,22,23,26,27,28,29,30
October	3,4,5,6

Codification

AN ACT

District of Columbia Code

D.C. ACT 10-254 (1995 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 21, 1994

To amend An Act To establish a code of law for the District of Columbia to permit persons convicted of 3 crimes of violence to be sentenced to life without parole, and to amend the Assault Weapon Manufacturing Strict Liability Act of 1990 to include machine guns.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Repeat Offender Life Without Parole Amendment Act of 1994".

Sec. 2. Section 907A of An Act To establish a code of law for the District of Columbia, approved July 29, 1970 (84 Stat. 599; D.C. Code § 22-104a), is amended to read as follows:

Section
22-104a

"(a)(1) If a person is convicted in the District of Columbia of a felony, having previously been convicted of 2 prior felonies not committed on the same occasion, the court may in lieu of any sentence authorized, impose such greater term of imprisonment as it deems necessary, up to and including life.

"(2) If a person is convicted in the District of Columbia of a crime of violence as defined by section 1 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. 650; D.C. Code § 22-3201), having previously been convicted of 2 prior crimes of violence not committed on the same occasion, the court may in lieu of any sentence authorized, impose a term of imprisonment of life without possibility of parole.

"(b) For the purposes of this section:

"(1) A person shall be considered as having been convicted of a felony if the person was convicted of a felony by a court of the District of Columbia, any state, or the United States or its territories.

"(2) A person shall be considered as having been convicted of a crime of violence if the person was convicted of a crime of violence as defined by section 1 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. 650; D.C. Code § 22-3201), by a court of the District of Columbia, any state, or the United States or its territories.

"(c)(1) A person shall be considered as having been convicted of 2 felonies if the person has been convicted of a felony twice before on separate occasions by courts of the District of Columbia, any state, or the United States or its territories.

"(2) A person shall be considered as having been convicted of 2 crimes of violence if the person has twice before on separate occasions been convicted of a crime of violence as defined by section 1 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. 650; D.C. Code § 22-3201), by courts of the District of Columbia, any states, or the United States or its territories.

"(d) No conviction or plea of guilty with respect to which a person has been pardoned shall be taken into account in applying this section."

Sec. 3. The Assault Weapon Manufacturing Strict Liability Act of 1990, effective March 6, 1991 (D.C. Law 8-263; D.C. Code § 6-2391 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Code § 6-2392) is amended by inserting the phrase "or machine gun" after the phrase "assault weapon" wherever it appears.

Section
6-2392

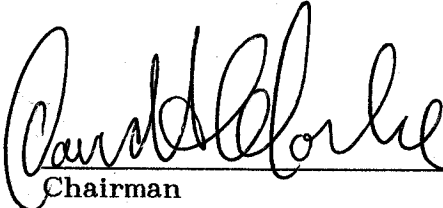
(b) Section 6 (D.C. Code § 36-2391, note) is amended by striking the period at the end of the section and inserting the phrase, "and to the discharge of a machine gun that is manufactured, imported, or distributed after the effective date of the Repeat Offender Life Without Parole Amendment Act of 1994." in its place.

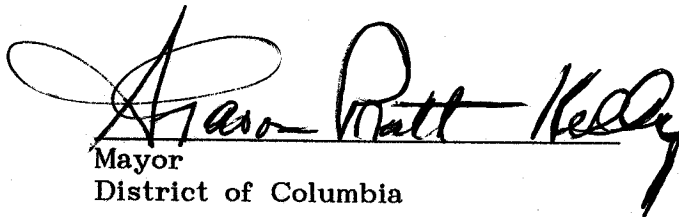
Note
Section
6-2391

Sec. 4. Effective date.

This act shall take effect after a 60-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(2)), and

publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: June 21, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

Bill 10-478

DOCKET NO: _____

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-7-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Brazil, Chavous and Lightfoot

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 21, 1994
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-21-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Lightfoot, Barry and Smith

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

June 21, 1994
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: - RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					EVANS					RAY				
BARRY					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					NATHANSON									

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date