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### Publication Information

## Current through Apr. 5, 2019

Last codified D.C. Law:

[Law 22-279 effective Apr. 5, 2019](#)

Last codified Emergency Law:

[Act 23-112 effective Feb. 28, 2019](#)

Last codified Federal Law:

[Public Law approved May 5, 2017](#)

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### **§ 22–4504. Carrying concealed weapons; possession of weapons during commission of crime of violence; penalty.**

(a) No person shall carry within the District of Columbia either openly or concealed on or about their person, a pistol, without a license issued pursuant to District of Columbia law, or any deadly or dangerous weapon. Whoever violates this section shall be punished as provided in § 22-4515, except that:

(1) A person who violates this section by carrying a pistol, without a license issued pursuant to District of Columbia law, or any deadly or dangerous weapon, in a place other than the person's dwelling place, place of business, or on other land possessed by the person, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both; or

(2) If the violation of this section occurs after a person has been convicted in the District of Columbia of a violation of this section or of a felony, either in the District of Columbia or another jurisdiction, the person shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.

(a-1) Except as otherwise permitted by law, no person shall carry within the District of Columbia a rifle or shotgun. A person who violates this subsection shall be subject to the criminal penalties set forth in subsection (a)(1) and (2) of this section.

(b) No person shall within the District of Columbia possess a pistol, machine gun, shotgun, rifle, or any other firearm or imitation firearm while committing a crime of violence or dangerous crime as defined in § 22-4501. Upon conviction of a violation of this subsection, the person may be sentenced to imprisonment for a term not to exceed 15 years and shall be sentenced to imprisonment for a mandatory-minimum term of not less than 5 years and shall not be released on parole, or granted probation or suspension of sentence, prior to serving the mandatory-minimum sentence.

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

(July 8, 1932, 47 Stat. 651, ch. 465, § 4; Nov. 4, 1943, 57 Stat. 586, ch. 296; Aug. 4, 1947, 61 Stat. 743, ch. 469; June 29, 1953, 67 Stat. 94, ch. 159, § 204(c); July 28, 1989, D.C. Law 8-19, § 3(c), 36 DCR 2844; May 8, 1990, D.C. Law 8-120, § 3(c), 37 DCR 24; May 21, 1994, D.C. Law 10-119, § 15(c), 41 DCR 1639; Aug. 20, 1994, D.C. Law 10-151, § 302, 41 DCR 2608; May 20, 2009, D.C. Law 17-388, § 2(c), 56 DCR 1162; Sept. 29, 2012, D.C. Law 19-170, § 3(d), 59 DCR 5691; June 11, 2013, D.C. Law 19-317, §§ 240(b), 309(a), 60 DCR 2064; June 16, 2015, D.C. Law 20-279, § 3(a), 62 DCR 1944.)

## Prior Codifications

1981 Ed., § 22-3204.

1973 Ed., § 22-3204.

## Section References

This section is referenced in [§ 7-2507.06a](#), [§ 22-2511](#), [§ 22-4505](#), [§ 22-4513](#), [§ 23-1322](#), [§ 24-221.06](#), [§ 24-261.02](#), and [§ 24-467](#).

## Effect of Amendments

[D.C. Law 17-388](#) added subsec. (a-1).

The 2012 amendment by [D.C. Law 19-170](#) deleted “without a license issued pursuant to District of Columbia law” following “a pistol” in the first sentence of the introductory language of (a) and in (a)(1).

The 2013 amendment by [D.C. Law 19-317](#) substituted “not more than the amount set forth in [§ 22-3571.01](#)” for “not more than \$5,000” in (a)(1), and for “not more than \$10,000” in (a)(2); and added (c).

The 2015 amendment by [D.C. Law 20-279](#) deleted “capable of being so concealed” from the end of the first sentence in the introductory paragraph of (a); and added “without a license issued pursuant to District of Columbia law” twice in (a).

## Cross References

Eligibility for geriatric or medical parole, exceptions, see [§ 24-467](#).

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

Institutional and educational good time credits, exceptions, see [§ 24-221.06](#).

Use of deadly and non-deadly force, private correctional officer employed by private operator, see [§ 24-261.02](#).

## Emergency Legislation

For temporary amendment of section, see § 302 of the Omnibus Criminal Justice Reform Emergency Amendment Act of 1994 (D.C. Act 10-255, June 22, 1994, 41 DCR 4286).

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 § 3(b) of Second Firearms Control Emergency Amendment Act of 2008 (D.C. Act 17-502, September 16, 2008, 55 DCR 9904).

For temporary (90 day) amendment of section, see § 3(b) of Second Firearms Control Congressional Review Emergency Amendment Act of 2008 (D.C. Act 17-601, December 12, 2008, 56 DCR 9).

For temporary (90 day) amendment of section, see § 2(c) 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(d) of Inoperable Pistol Emergency Amendment Act of 2008 (D.C. Act 17-652, January 6, 2009, 59 DCR 927).

For temporary amendment of (a), see § 3(d) 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(b) and 309(a) of the Criminal Fine Proportionality Emergency Amendment Act of 2013 (D.C. Act 20-45, April 1, 2013, 60 DCR 5400, 20 DCSTAT 1300).

For temporary amendment of (a), see § 3(d) 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(b) and 309(a) of the Criminal Fine Proportionality Emergency Amendment Act of 2013 (D.C. Act 20-45, April 1, 2013, 60 DCR 5400, 20 DCSTAT 1300).

For temporary (90 days) amendment of this section, see § 3(a) of the License to Carry a Pistol Emergency Amendment Act of 2014 (D.C. Act 20-447, Oct. 7, 2014, 61 DCR 10765, 20 STAT 4175).

For temporary (90 days) repeal of emergency D.C. Act 20-447, § 4, the act's applicability clause, see § 2 of the License to Carry a Pistol Clarification Emergency Amendment Act of 2014 (D.C. Act 20-448, Oct. 7, 2014, 61 DCR 10777, 20 STAT 4187).

For temporary (90 days) amendment of this section, see § 3(a) of the License to Carry a Pistol Second Emergency Amendment Act of 2014 (D.C. Act 20-564, Jan. 6, 2015, 62 DCR 866, 21 STAT 527).

For temporary (90 days) repeal of emergency D.C. Act 20-447, see § 4(b) of the License to Carry a Pistol Second Emergency Amendment Act of 2014 (D.C. Act 20-564, Jan. 6, 2015, 62 DCR 866, 21 STAT 527).

For temporary (90 days) repeal of temporary D.C. Act 20-169, see § 4(c) of the License to Carry a Pistol Second Emergency Amendment Act of 2014 (D.C. Act 20-564, Jan. 6, 2015, 62 DCR 866, 21 STAT 527).

For temporary (90 days) amendment of this section, see § 3(a) of the License to Carry a Pistol Congressional Review Emergency Amendment Act of 2015 (D.C. Act 21-74, June 4, 2015, 62 DCR 8242, 21 DCSTAT 1451).

## **Temporary Legislation**

For temporary (225 days) amendment of this section, see § 3(a) of the License to Carry a Pistol Temporary Amendment Act of 2014 (D.C. Law 20-169, May 5, 2015, 61 DCR 11814).

## **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.

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