



Legislation Text

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Int. No. 461

By Council Members Gentile, Avella, Comrie, Gennaro, Gonzalez, Koppell, Weprin and McMahon

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of sharpened samurai swords or other large swords of a similar kind.

Be it enacted by the Council as follows:

Section One. Legislative Intent and Findings. It is hereby declared and found that the sale of sharpened samurai swords is a menace to the public health, peace, safety, and welfare of the people of the city of New York. Easy access to such swords facilitates criminal and illegal behavior; the dire consequences of the use of such swords was reflected in a June 13, 2004 incident, when a Queens teen murdered his friend with a three foot long sharpened samurai sword in a dispute over a pillow. The Council finds that unless the sale of such swords is prohibited, there is danger of an increase in crimes of violence and other conditions detrimental to public peace, safety, and welfare.

§ 2. Chapter one of title 10 of the administrative code of the city of New York is amended to add a new section 10-133.1, to read as follows:

§ 10-133.1. Prohibition on the Sale of Sharpened Samurai Swords or Other Large Swords of a Similar Kind

- a. It shall be unlawful for any person to sell sharpened samurai swords or other large swords of a similar kind within the City of New York, whether the sale of such swords are conducted in person or by some other means, to any person of any age who is seeking to purchase such swords either for themselves or others.
- b. For purposes of this section sharpened samurai sword shall mean any and all samurai swords or other large swords of a similar kind with a sharpened blade length of ten or more inches, which are used in the area of martial arts, or other sword fighting activities.

- c. Exempt from the provisions of this section are importers and exporters or merchants who ship or receive sharpened samurai swords or other large swords of a similar kind with a sharpened blade length of ten or more inches, in bulk, which swords are scheduled to travel or have traveled in the course of international, interstate, or intrastate commerce to a point outside the city. Such bulk shipments shall remain in their original shipping package, unopened, except for inspection and possible subdivision for further movement in international, interstate, or intrastate commerce to a point outside the city.
- d. A violation of this section shall be an offense punishable by a fine of not more than seven hundred fifty dollars or by imprisonment not exceeding fifteen days or both such fine and imprisonment. Any person violating this section shall be subject to a civil penalty not to exceed one thousand dollars for each violation.

§ 3. This local law shall take effect ninety days after its enactment into law.