



Legislation Text

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Proposed Res. No. 289-A

Resolution calling upon the New York State Legislature to further restrict the issuance of a license for the possession and purchase of firearms

By Council Members Yassky, Vallone Jr., Clarke, DeBlasio, Felder, Fidler, Brewer, Gennaro, Sanders Jr., Boyland, Weprin, Koppell, Gentile and The Public Advocate (Ms. Gotbaum)

Whereas, New York State Penal Law §400.00 extensively regulates the licensing and issuance of firearms, including pistols and revolvers; and

Whereas, Under current law, a license must be denied to a person who, among other things, has been convicted of a felony or serious offense or who has had a license revoked or who is under a suspension or ineligibility order issued pursuant to the provisions of the criminal procedure law or family court act that allow courts to issue orders of protection; and

Whereas, Under federal law, it is unlawful for any person to ship, transport or possess a firearm who has been convicted of a misdemeanor crime of domestic violence or who is subject to certain types of domestic-violence related orders of protection; and

Whereas, To ensure that only those individuals who are capable of being responsible gun owners have access to such firearms, it is important that the list of those ineligible for such firearms include individuals who have a propensity to violence or who

have shown a disregard for the law; and

Whereas, To implement this policy, the New York State Legislature should mandate that a license not be issued to a person convicted of a misdemeanor crime of domestic violence as defined in § 921 (a) of title 18, United States Code, convicted of the misdemeanor crime of assault, or convicted of three misdemeanors of any type within a ten year period as defined by state, federal or local law; and

Whereas, By expanding these prohibitions, the New York State Legislature will further ensure that only responsible individuals are licensed to carry or purchase a weapon; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to further restrict the issuance of a license for the possession and purchase of firearms.

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