Legislation Details (With Text)

File #:	Res 0686-2011	**Version:**	*	**Name:**	Congress to pass and the President to sign into law the “Large Capacity Ammunition Feeding Device Act” (H.R.308/S.32)
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Public Safety
On agenda:	3/2/2011				
Enactment date:				**Enactment #:**	

Title: Resolution calling on the United States Congress to pass and the President to sign into law the “Large Capacity Ammunition Feeding Device Act” (H.R.308/S.32), which would prohibit the transfer or possession of large capacity ammunition feeding devices unless otherwise permissible by law.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
3/2/2011	*	City Council	Introduced by Council	
3/2/2011	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 686

Resolution calling on the United States Congress to pass and the President to sign into law the “Large Capacity Ammunition Feeding Device Act” (H.R.308/S.32), which would prohibit the transfer or possession of large capacity ammunition feeding devices unless otherwise permissible by law.

By Council Members Brewer, Jackson, Cabrera, Chin, Comrie, Dromm, Fidler, Gentile, James, Koppell, Lander, Mendez, Rose, Vann and Williams

Whereas, A gun’s magazine is the internal or detachable feeding device designed to hold a gun’s ammunition; and

Whereas, A large magazine can hold many bullets, which enables an individual to fire many rounds without the need to reload the gun; and

Whereas, These large magazines are intended for military purposes rather than civilian use; and

Whereas, Despite the destructive nature of these magazines, it is lawful in some states, such as Arizona, for an individual to purchase magazines that hold more than 10 rounds of ammunition; and

Whereas, The danger of these magazines was evident during the January 8, 2011, shooting in Tucson, Arizona, in which Jared Lee Loughner used a Glock 19 semi-automatic handgun equipped with a large-capacity ammunition magazine to shoot many innocent individuals; and

Whereas, Mr. Loughner fired more than 30 shots from one magazine before he paused to reload his handgun, but was captured before he could continue firing; and

Whereas, This tragic shooting resulted in 6 people being killed including a federal judge and a 9-year-old girl, and 14 people being severely injured including U.S. House Representative Gabrielle Giffords; and

Whereas, Handguns with such powerful magazines have wreaked havoc in the past, including in the Virginia Tech and Columbine incidents; and

Whereas, In previous years federal regulations governing the purchase of large capacity magazines have been more restrictive; the Federal Violent Crime Control and Law Enforcement Act of 1994 included a section limiting civilian ownership of large capacity magazines to 10 rounds; and

Whereas, The ban had a 10-year sunset provision and Congress failed to renew it when it expired in 2004; and

Whereas, Despite the federal government's failure to take action on this important issue, some state governments have implemented a ban on large capacity magazines; and

Whereas, In fact, according to the Brady Center to Prevent Gun Violence, there are currently six states-New York, California, Hawaii, Maryland, Massachusetts, and New Jersey, and the District of Columbia, which ban the sale of high-capacity gun magazines that hold more than 10 rounds; and

Whereas, Given how easy it was for Jared Lee Loughner and other individuals to purchase these magazines and inflict massive causalities, the federal government should reinstate the ban; and

Whereas, In order to prevent further gun violence, Congresswoman Carolyn McCarthy and Senator Frank Lautenberg introduced H.R.308 and S.32, respectively, known as the "Large Capacity Ammunition Feeding Device Act," which would amend the United States Code by prohibiting the transfer or possession of

large capacity ammunition feeding devices; and

Whereas, This bill would define “large capacity ammunition feeding device” as a magazine, belt, drum, feed strip or similar device that can accept more than 10 rounds of ammunition, but does not include an attached tubular device designed to operate with .22 caliber rimfire ammunition; and

Whereas, Under this bill, it shall be unlawful for a person to transfer or possess a large capacity ammunition feeding device unless it was lawfully possessed before the bill was enacted; and

Whereas, The bill would provide exceptions for active and retired law enforcement, for certain federal and state departments and agencies, and would allow the manufacture, transfer, or possession of large capacity magazines for authorized testing or experimentation; and

Whereas, Anyone violating the magazine ban would face a fine, a sentence of imprisonment of no more than 10 years, or both; and

Whereas, Many gun violence prevention organizations support this bill including the Brady Center to Prevent Gun Violence and the Citizens Crime Commission; and

Whereas, Congress and the President should act swiftly on this bill in order to prevent any further shootings committed by individuals with guns with large capacity magazines; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign into law the “Large Capacity Ammunition Feeding Device Act” (H.R.308/S.32), which would prohibit the transfer or possession of large capacity ammunition feeding devices unless otherwise permissible by law.

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LS #1950 &2004