



## Legislation Text

---

**File #:** Res 0136-2014, **Version:** \*

---

### Res. No. 136

Resolution calling on the New York State Assembly to pass A.3941-A, the New York State Senate to introduce and pass a companion bill, and the Governor to sign such legislation into law, which would create the Children's Weapon Accident Prevention Act.

By Council Members Johnson, Chin, Cornegy, Gentile, Gibson, Levine, Mendez and Rosenthal

Whereas, Unintended firearm related injuries and deaths are a national and local problem affecting many Americans and New Yorkers on a daily basis; and

Whereas, According to the Centers for Disease Control and Prevention, in 2010, there were 369 firearm related deaths in the United States among children ages one to fourteen; and

Whereas, According to various firearm safety experts, it is believed that establishing proper weapon safety procedures, such as equipping a gun with a child proof safety-lock, would drastically decrease accidental firearm injuries and fatalities; and

Whereas, In an effort to stem firearm related injuries and fatalities, New York State must increase its firearm safeguards to better protect our children and their families; and

Whereas, A.3941-A, introduced by Assemblyman Harvey Weisenberg and currently pending in the New York State Assembly, would amend New York State's Penal, General Business and Education Laws in an effort to enhance protection from firearms; and

Whereas, A.3941-A is also known as the Children's Weapon Accident Prevention Act ("The Act"); and

Whereas, The Act would amend the New York State Penal Law by creating new crimes: including, (i) failure to store a weapon safely in the second and first degree; (ii) aggravated failure to store a weapon safely

resulting in the removal or discharge of the weapon by a child; and (iii) criminally negligent storage of a weapon in the second degree resulting in a child causing serious physical injury to themselves or any other individual, which would be a Class E Felony; and (iv) criminally negligent storage of a weapon in the first degree resulting in a child causing their own death or the death of any other individual, which would be a Class D Felony; and

Whereas, The Act would amend the New York State Education Law by requiring the commissioner of the State's Department of Education to develop a weapon safety program designed to teach children how to prevent gun-related injuries; and

Whereas, The Act would amend the New York State General Business Law by requiring gun dealers to post a conspicuous notice that it is a crime in New York to leave guns accessible to children; and

Whereas, The Act would help prevent New York's children from possessing loaded firearms and help save lives of innocent youth; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.3941-A, the New York State Senate to introduce and pass a companion bill, and the Governor to sign such legislation into law, which would create the Children's Weapon Accident Prevention Act.

WJH  
LS 714  
3/13/14