



Legislation Text

File #: Res 1781-2017, **Version:** *

Res. No. 1781

Resolution urging the New York State Legislature to pass and the Governor to sign a law amending the parental responsibility section of the General Obligations Law, to make parents or custodial guardians responsible of minors possessing a firearm.

By Council Member King

Whereas, Pursuant to the General Obligations Law, parents and legal guardians can be responsible for the actions of their minor child; and

Whereas, According to the General Obligations Law, parents and legal guardians can be held responsible for the actions of their child if they are older than 10 and less than 18 years old; and

Whereas, However, if the state, Department of Social Services, or a foster parent have custody of a minor, they cannot be held responsible under the law; and

Whereas, Pursuant to the General Obligations Law, parents and legal guardians are held responsible for the “willful, malicious, or unlawful” damage their minor child has caused; and

Whereas, This includes the unlawful damage, defacement, or detriment of public or private property, vandalism, and property theft; and

Whereas, Parents can also be held responsible if their minor child false reports or places a “false bomb”;

Whereas, Parents whose minor child has reported or placed a false bomb can face a civil action in court to recover the funds expended in responding to the report or placement of the “false bomb”; and

Whereas, While the General Obligations Law provides several instances of when parents are held liable for the actions of their minor child, the current law does not include possession of a firearm; and

Whereas, Similarly to the actions currently included in the law, possessing a firearm poses a risk to

public safety, the overall public, and to the minor themselves; therefore, be it

Resolved, That the Council of the city of New York urges New York State Legislature to pass and the Governor to sign a law amending the parental responsibility section of the General Obligations Law, to make parents or custodial guardians responsible of minors possessing a firearm.