



Legislation Text

---

File #: Res 0058-2018, Version: \*

---

Res. No. 58

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, the state or such foster parent 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 and legal guardians can also be held responsible if their minor child false reports or places a “false bomb”;

Whereas, Parents and legal guardians 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 and legal guardians 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, minors possessing firearms is a citywide public safety concern; and

Whereas, Minors possessing firearm poses a grave danger to themselves, their peers, and the public, which the City must do everything it can to prevent; 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.

LS#1926/Res. 1781

LS# 625

12/28/17

CMA