



Legislation Text

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Res. No. 244

Resolution calling upon the United States Congress to pass, and the President to sign, a federal version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act.

By Council Members Yeger, Rosenthal, Levine, Rivera, Brannan, Treyger, Ayala and R. Diaz

Whereas, On February 14, 2018, reports indicate a lone gunman, Nikolas Cruz, walked into Marjory Stoneman Douglas High School in Florida and murdered 17 of his fellow classmates and injured several others; and

Whereas, According to federal law enforcement officers, despite having a documented history of mental illness, Cruz was able to purchase an assault rifle legally; and

Whereas, In the State of Florida, purchasing an assault rifle, such as the AR-15 used in this mass shooting, is easier than purchasing a handgun; and

Whereas, While Florida has a three-day waiting period for handgun purchases, anyone without a felony record, domestic abuse conviction, and other exceptions, such as a commitment to a mental institution, can purchase an assault rifle, magazines, and ammunition on the same day after waiting a few minutes to clear a background check; and

Whereas, Further, under federal law, persons must be 21 years of age to purchase a handgun, however need only to be 18 years of age to purchase semi-automatic rifles; and

Whereas, According to the *New York Times*, since the Sandy Hook Elementary School shooting in December 2012, where 20 first graders and six adults were killed with an assault rifle, more than 400 people have been shot in over 200 school shootings in the United States; and

Whereas, In response to the Sandy Hook Elementary School shooting, New York State enacted the New

York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act; and

Whereas, The SAFE Act, broadened the definition of assault weapons, including semi-automatic rifles, handguns, and shotguns that accommodate one or more detachable military-like features; and

Whereas, The SAFE Act grandfathered owners of these weapons, allowing them to keep them so as long as they register their guns with the State Police; and

Whereas, While this agreement allowed owners of assault weapons to keep them for life, selling or transferring of them to a New York State resident is prohibited; and

Whereas, The SAFE Act also prohibited high-capacity magazines, providing that only magazines with the capacity of seven rounds could be legally sold in New York; and

Whereas, Magazines purchased with a higher capacity before the law was enacted, are prohibited from being loaded beyond seven rounds; and

Whereas, Further, the SAFE Act requires background checks for private gun sales and mental health professionals to report patients “likely to engage in conduct that would result in serious harm to self or others” into a database that restricts their ability to buy guns; and

Whereas, According to the New York State Office of Mental Health, as of December 2018, approximately 75,000 people have been listed in the database in New York; and

Whereas, While the SAFE Act strengthened New York’s gun laws, states with weaker protections jeopardize the safety of New York State and City; and

Whereas, According to a report issued by the New York State Office of Attorney General, 74% of guns used in crimes between 2010 and 2015 came from states with lax gun laws; and

Whereas, If the federal government were to adopt a version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, law enforcement would be better able to keep guns out of the wrong hands and keep us all safe; therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and

the President to sign, a federal version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act.

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