



Legislation Text

File #: Int 1548-2019, **Version:** *

Int. No. 1548

By Council Members Miller, Richards, the Public Advocate (Mr. Williams), Rosenthal, Levine, Chin, Kallos, Lander, Louis, Barron, Ayala, Rivera and Gibson

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the seizure of three-dimensional printed guns and ghost guns, or any piece or part thereof

Be it enacted by the Council as follows:

Section 1. Paragraph 8 of subdivision a of section 14-150 of the administrative code of the city of New York, as added by local law number 57 for the year 2008, is amended to read as follows:

8. A report of the number of firearms, including ghost guns and firearms created using a three-dimensional printer, or any piece or part thereof, possessed in violation of law that have been seized, disaggregated by precinct and type of firearm. Such report shall also include, disaggregated by precinct: (i) the number of arrests made and type of crimes charged involving firearms possessed in violation of law, including arrests for the distribution and sale of such firearms; and (ii) the total number and type of firearms recovered in the course of arrests made.

§ 2. Paragraph 8 of subdivision b of section 14-150 of the administrative code of the city of New York, as added by local law number 1 for the year 2009, is amended to read as follows:

8. For purposes of this section, the following terms shall have the following meanings:

[(i)] (a) “firearms incident” means any (i) incident during which one or more New York city police officers discharge any firearm, or when a firearm belonging to a New York city police officer is discharged by any person, except for a discharge during an authorized training session, or while lawfully engaged in target practice or hunting, or at a firearms safety station within a department facility;

[(ii)] (b) “subject” means a person engaged in adversarial conflict with an officer or third party, in which the conflict results in a firearms discharge;

[(iii)] (c) “civilian” means a person who is not the subject in the adversarial conflict but is included as a victim, bystander, and/or injured person;

[(iv)] (d) “officer” means a uniformed member of the department, at any rank;

[(v)] (e) “intentional firearms discharge” means a firearms discharge in which an officer intentionally discharges a firearm, which may include firearms discharges that are determined to be legally justified but outside department guidelines;

[(vi)] (f) “adversarial conflict” means an incident in which an officer acts in defense of self or another during an adversarial conflict with a subject and does not include an animal attack or situations in which an officer only intentionally discharges a firearm to summon assistance;

[(vii)] (g) “unintentional firearms discharge” means a firearms discharge in which an officer discharges a firearm without intent, regardless of the circumstance, commonly known as an accidental discharge; [and]

[(viii)] (h) “unauthorized use of a firearm” means a firearms discharge that is considered unauthorized and is not listed as an intentional firearms discharge, is being discharged without proper legal justification, and includes instances when an unauthorized person discharges an officer's firearm[.] ;

(i) “frame or receiver” means a part of a firearm that provides housing for the hammer, bolt or breechblock, and firing mechanism, and that is usually threaded at its forward portion to receive the barrel;

(j) “ghost gun” means any firearm that is assembled from a frame or receiver that has been marketed or sold, either individually or as part of a kit, as an unfinished frame or receiver that could be used to assemble a firearm;

(k) “three-dimensional printer” means a computer-driven machine capable of producing a three-dimensional object from a digital model by adding layers of material in succession; and

(l) “unfinished frame or receiver” means a piece of any material that does not constitute the frame or

receiver of a firearm but that has been shaped or formed in any way for the purpose of becoming the frame or receiver of a firearm with modification by the user.

§ 3. This local law takes effect immediately.

DFC
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January 17, 2019, 11:00 a.m.