



Legislation Text

File #: Res 1044-2019, **Version:** *

Res. No. 1044

Resolution calling on the New York State Legislature to introduce and pass and for the Governor to sign legislation making it illegal to remodify an AR-15 firearm.

By Council Members Cabrera, Kallos and Cornegy

Whereas, According to the most recent published statistics by the United States Centers for Disease Control and Prevention on *National Vital Statistics*, in 2016 there were 38,658 firearm related deaths in the U.S.; and

Whereas, The AR-15 firearm is a lightweight semi-automatic rifle, which is generally used for hunting but has been used in mass shootings including Sandy Hook Elementary School and the 2017 Harvest Music Festival in Las Vegas; and

Whereas, In an effort to stem the potential of future mass shootings, on January 15, 2013, New York State passed the New York Secure Ammunition and Firearms Enforcement (“SAFE”) Act, making New York the first state to implement comprehensive and holistic reforms to address the gun violence plague since the tragedy at Sandy Hook Elementary School; and

Whereas, The SAFE Act, among other things, amends the definition of assault weapon to capture more dangerous weapons, such as the AR-15, by defining them as (i) a semiautomatic rifle or pistol that has an ability to accept a detachable magazine and has at least one military-style characteristic such as a folding stock or protruding pistol grip; and

Whereas, In an effort to skirt New York State law, gun manufacturers have been producing “modified” AR-15 firearms that technically declassify them as an assault weapon, thus allowing for their sale in the state; and

Whereas, AR-15s are modified by removing their protruding pistol grip and their adjustable stock, which then makes the firearm compliant with New York State law; and

Whereas, For all intent and purposes, the modified firearm still functions as an assault weapon; and

Whereas, On June 30, 2017, Dr. Henry Bello, a former and disgruntled employee of Bronx Lebanon Hospital, walked into the facility with a modified AR-15 assault rifle, which he purchased at an upstate gun shop, and shot seven individuals, killing Dr. Tracy Sin-Yee Tam and wounding six others before turning the gun on himself; and

Whereas, This tragedy may have been averted if the assailant was not permitted to purchase this modified assault weapon; and

Whereas, New York State should close the statutory loophole permitting such modification and outlaw these firearms, as the SAFE Act was first intended to do; and

Whereas, New York State will be a safer place when any modification to an AR-15 is made illegal; now, therefore be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and pass and for the Governor to sign legislation making it illegal to remodify an AR-15 firearm.

WJH
LS 6024
6/26/19