



Legislation Text

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Res. No. 1000

Resolution urging the New York State Legislature to limit the acquisition of a firearm to one per ninety-day period.

By Council Members Vallone, Addabbo, Clarke, Comrie, Dilan, Fidler, Foster, Gerson, Liu, Nelson, Weprin, Yassky and Quinn

Whereas, A thriving underground market for illegal guns, largely driven by demand from drug groups and other criminals, exists in New York State; and

Whereas, According to the office of New York State Attorney General, Eliot Spitzer, over 35,000 illegal handguns, rifles and shotguns were seized in New York State from 1999 to 2001, and handguns constitute over 70% of the guns confiscated by law enforcement; and

Whereas, A substantial portion of guns are diverted to the illegal market through licensed gun sellers; for example, "straw purchasers" buy guns on behalf of others from licensed and unlicensed sellers, and transfer those weapons either to prohibited purchasers or to other unlicensed sellers; and

Whereas, The federal Bureau of Alcohol, Tobacco and Firearms (BATF) conducted an investigation of gun trafficking from July 1996 to December 1998, and found that almost 26,000 trafficked guns were associated with investigations in which there was a straw purchaser; and

Whereas, Moreover, according to the Attorney General, this problem is not limited to unlicensed sellers, and clearly includes federal firearms licenses (FFLs); and

Whereas, Although FFLs were involved in under 10% of the trafficking investigations undertaken by BATF, they were associated with the largest number of diverted guns (over 40,000 guns), which is nearly half of the total number of trafficked guns documented during the two year period of BATF's investigation; and

Whereas, Prohibiting the sale of more than one firearm to any individual as part of the same sales transaction would prevent the illegal diversion of handguns and other weapons to criminals; and

Whereas, The State Legislature should therefore prohibit firearms dealers from selling a firearm to any individual if the dealer knows or should know that such individual has purchased a firearm within the prior ninety days; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to limit the acquisition of a firearm to one per ninety-day period.

TB/MK
LS#1610
8/19/03