



Legislation Text

File #: Res 2093-2009, **Version:** *

Res. No. 2093

Resolution calling on the New York State Assembly to pass A.5696-C and the New York State Senate to introduce and pass a companion bill; on the Senate to pass S.5489; and on the Governor to sign these bills so that all New York City residents enjoy further protections from the misuse of firearms.

By Council Members Sears, Brewer, Fidler, Weprin and Comrie

Whereas, New York City is a national leader in gun safety and policy initiatives designed to increase public safety in the City; and

Whereas, The laws in New York respect the right of an individual to own a firearm while keeping weapons away from those who may abuse that right; and

Whereas, New York City has strict regulations surrounding the sale and possession of firearms in order to protect our highly populated urban communities; and

Whereas, In 2008, 292 people were shot to death in New York City, down from 347 the year before, continuing a longtime decline in deaths by firearms; and

Whereas, The declining number of firearm-related deaths indicates that strong restrictions on guns can positively impact public safety; and

Whereas, Despite recent decreases in New York's firearm-related deaths, the onus is on state and local government to further decrease the rate of deaths by firearms; and

Whereas, In the wake of tragedies such as the mass shooting in Binghamton, New York and Blacksburg, Virginia it is more important than ever to regulate and control the sale of firearms if New York hopes to avoid similar devastating situations; and

Whereas, Several bills currently pending in the State Assembly and Senate would effect such regulation

and control; and

Whereas, A.3076-B (Kavanagh) was passed by the New York State Assembly on April 28, 2009 and would broaden provisions relating to eligibility for a firearms license if its companion bill, S.5489 (Adams), is passed as well; and

Whereas, A.3076-B would amend the penal code in order to tighten the eligibility criteria for issuance of a license to carry a firearm as such criteria relate to the mental capacity and mental health of the applicant; and

Whereas, A.3076-B would require an individual to prove mental stability before being permitted to purchase a firearm in New York and would require a licensed official to investigate claims of competent mental status prior to allowing individuals to purchase firearms; and

Whereas, A.3076-B and S.5489 additionally create a training course and testing requirement for any individual who wishes to purchase a firearm in the state of New York; and

Whereas, Much like a driving test before one can drive a car, A.3076-B and S.5489 would require a firearms training course to be completed, a test to be passed and the applicant to show proof of a certificate of completion issued in his or her name and endorsed by an authorized instructor before an individual could legally possess a firearm in New York State; and

Whereas, In addition to A.3076-B and S.5489, A.5696-C (Kavanagh), currently pending in the New York State Assembly, would require all employees of gunsmiths and dealers of firearms who sell or handle firearms to submit to an instant background check through the National Instant Criminal Background Check System (NICS); and

Whereas, Firearms dealers must participate in NICS in order to be licensed to sell firearms but their employees, who have open access to firearms, never do; and

Whereas, This bill would ensure that individuals selling firearms are legally able and responsible

enough to own one as well, giving the public more assurance that credibly exists at all levels during the sale of a firearm; and

Whereas, These bills would put in place safeguards that would provide for the continued safety of New York residents from the reckless sale and use of firearms that do not belong on the streets of urban centers like New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.5696-C and the New York State Senate to introduce and pass a companion bill; on the Senate to pass S.5489; and on the Governor to sign these bills so that all New York City residents enjoy further protections from the misuse of firearms.

RMP
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