

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 160817)

RESOLUTION

Denouncing Pennsylvania House Bill No. 2258, which would allow for the National Rifle Association and other similar organizations to challenge local gun regulations and hold municipalities liable for their legal fees.

WHEREAS, On Tuesday, September 20, 2016, the Pennsylvania House Judiciary Committee voted 21-6 in favor of Pennsylvania House Bill No. 2258, a bill introduced by Representative Mark Keller, which allows for the National Rifle Association and other gun enthusiasts in Pennsylvania to sue municipalities over local gun ordinances and restrictions; and

WHEREAS, Pennsylvania House Bill No. 2258 allows these individuals to bring suit, regardless of whether they reside in that specific municipality or are directly affected by the ordinance. Additionally, the bill allows for those who brought suit to be awarded legal expenses if they are successful in their case; and

WHEREAS, Pennsylvania House Bill No. 2258 is similar to previous legislation that was overturned by the Commonwealth Court in 2015 for violating Pennsylvania's State Constitution. This decision was upheld by the Supreme Court of Pennsylvania in June of 2016; and

WHEREAS, Statistics concerning gun violence in Philadelphia are alarming. From 2013 to 2015, the Philadelphia Police Department reported over 19,200 crimes involving firearms. In 2014, the Bureau of Alcohol, Tobacco, Firearms and Explosives reported that federal agents recovered 8,929 illegal guns in the state that year, a third of which were recovered in Philadelphia; and

WHEREAS, A report from the Philadelphia Police Department concerning crime thus far in 2016 show 1,819 robberies using guns and 1,628 assaults with guns across the City; and

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WHEREAS, Most recently, in September of 2016, five people were killed and 14 were wounded, including two police officers, in shootings that occurred throughout the City within a span of 48 hours; and

WHEREAS, Philadelphia County has the largest share of gun violence and gun related crime in the state, and should not be subjected to law suits from those who do not share in the burden of making our City safer; and

WHEREAS, The Council of the City of Philadelphia calls on members of the Pennsylvania House of Representatives to vote against this bill, and allow for counties like Philadelphia, who suffer the effects of gun violence on a daily basis, to take action against it when necessary, without fear of being sued by the NRA; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Denounces Pennsylvania House Bill No. 2258, which would allow for the National Rifle Association and other similar organizations to challenge local gun regulations and hold municipalities liable for their legal fees.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-ninth of September, 2016.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Jones

Sponsored by: Councilmembers Jones, Greenlee, Parker, Council President Clarke, Councilmembers Blackwell, Gym, Green, Johnson and Quiñones Sánchez