



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

## Legislation Text

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**File #: 240309, Version: 0**

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Supporting the Biden Administration's finalized rule that aims to expand certain background check requirements for firearm purchases and close the "gun-show loophole."

WHEREAS, On June 25, 2022, in the wake of the tragic shooting at Robb Elementary School in Uvalde, Texas, President Biden signed into law the Bipartisan Safer Communities Act which is the most comprehensive firearm safety legislation of the 21st Century. This legislation includes expanding background checks for those under the age of 21, clarifies federal firearm license requirements, funds red flag laws and crisis intervention programs, creates stronger restrictions for firearm trafficking and straw purchasing, and partially closes the "boyfriend loophole"; and

WHEREAS, With the passage of the legislation, as of April 2023, over 100 firearm sales have been blocked due to enhanced background checks. In the summer of 2023, The Biden Administration proposed a rule to expand the definition of firearms dealers by better defining the meaning of "engaged in business." According to a statement from Attorney General of the United States, Merrick Garland, if a dealer is selling firearms primarily for a profit, they must register as a firearm dealer and conduct background checks; and

WHEREAS, After a public comment session where feedback was solicited from over 300,000 individuals, The Biden Administration through the Department of Justice finalized the rule, and it was published in the federal registry. Under this new rule, The Justice Department estimates that 23,000 unlicensed firearm dealers would now be required to conduct background checks; and

WHEREAS, Over the past several decades, the number of mass shootings has tragically increased. Even in the midst of mass shootings such as Columbine, Sandy Hook, Marjory Stoneman Douglas, Las Vegas, Pulse, and Virginia Tech, Philadelphia is still unable to implement its own firearm restrictions. Therefore, it is essential for the Commonwealth and federal governments to do everything in their power to keep Philadelphia and Philadelphians safe; and

WHEREAS, The Council of the City of Philadelphia supports the finalization of this rule aimed at closing the gun-show loophole and expanding background checks. While challenges are expected, it is important to remember that governments cannot fail to act because they are afraid of challenges. It is important to make bold changes that will make our cities, our states, and the entire country safer for generations to come; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby supports the Biden Administration's finalized rule which aims to expand certain background check requirements for firearm purchases and close the "gun-show loophole."