

Legislation Text

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Calling on the Pennsylvania General Assembly to temporarily suspend firearm preemption for cities of the first class to allow Philadelphia to enforce measures that will reduce gun violence.

WHEREAS, The Commonwealth of Pennsylvania's preemption statute prevents local municipalities from passing firearm laws that are more restrictive than those on the state level; and

WHEREAS, Philadelphia is the only "city of the first class" in the Commonwealth of Pennsylvania, meaning that they have a great deal of autonomy in the governing of their City; and

WHEREAS, Firearm preemption laws have made it nearly impossible for the City of Philadelphia to pass meaningful gun legislation that would have a beneficial impact on our communities; and

WHEREAS, the City of Philadelphia has been facing a devastating crisis of senseless gun violence. As of March 21, 2023, there has been 92 victims of homicide. In 2022, 514 people were murdered and 1,791 people were injured in non-fatal shootings. In 2021, the deadliest year in Philadelphia's history, 562 people were killed; and

WHEREAS, In Philadelphia in 2022, 43% of gun violence was centered in three neighborhoods, Kensington, North Philadelphia, and Germantown. According to the Office of the City Controller, 87% of those shot were male, 77% were black, 48% were between the ages of 18 and 30, and 10% were younger than 18 years old; and

WHEREAS, In order for Philadelphia to solve the gun violence crisis, it is essential that its leaders are able to take bold action in order to address it; and

WHEREAS, Preemption has blocked numerous firearm regulations from taking effect including ordinances requiring reporting for a lost or stolen firearm, red flag laws, banning straw purchases, and an executive order banning firearms in recreation centers and on playgrounds; and

WHEREAS, In Philadelphia, it is unacceptable that shootings and gun violence have become part of our citizens' way of life. The countless instances of senseless gun violence, both known and unknown to our citizens, must be addressed. Whether it was shootings on South Street, at Mill Creek Recreation Center, Roxborough High School, the 4th of July Celebration, near the intersection of Kensington and Allegheny Avenues, at Shepard-Haddington Recreation Center, or on a residential street, Council must take action to alleviate these burdens; and

WHEREAS, Therefore, the Council of the City of Philadelphia is calling on the PA General Assembly to temporarily suspend firearm preemption strictly for cities of the first class. If such a suspension were to come into effect, common-sense gun reforms that are already on the books could be enforceable. After a period of time, the General Assembly could vote to reauthorize the suspension for an additional period, based on effectiveness; and

WHEREAS, By taking this suspension-oriented approach, the City of Philadelphia would have the opportunity to enforce certain firearm related provisions while at the same time testing their efficiency to determine how enforcement affects the gun violence crisis in the City; and

WHEREAS, Following the passage of this Resolution by the Council of the City of Philadelphia, copies will be sent to the Philadelphia House and Senate Delegations as a sign of the good will negotiations that this body plans to undertake to bring about a solution to Philadelphia's gun violence crisis; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby calls on the Pennsylvania General Assembly to temporarily suspend firearm preemption for cities of the first class to allow Philadelphia to enforce measures that will reduce gun violence.