City of Philadelphia

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

Legislation Details (With Text)

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On agenda:				**Final action:**	

Title: Urging the Pennsylvania General Assembly, Senate, and Governor Tom Corbett to reject House Bill No. 1523 which could impose heavy financial penalties on municipalities that adopt or enforce reasonable regulations of firearms, and to allow the City of Philadelphia to continue its efforts to regulate firearms for the health, safety and welfare of the City.

Sponsors: Councilmember Johnson, Councilmember Jones, Councilmember Goode, Councilmember Reynolds Brown, Councilmember Greenlee

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Date	Ver.	Action By	Action	Result	Tally
2/16/2012	0	CITY COUNCIL	ADOPTED		
2/16/2012	0	CITY COUNCIL	READ		
2/9/2012	0	CITY COUNCIL	Introduced and Ordered Placed On Next Week's Final Passage Calendar	Pass	

Urging the Pennsylvania General Assembly, Senate, and Governor Tom Corbett to reject House Bill No. 1523 which could impose heavy financial penalties on municipalities that adopt or enforce reasonable regulations of firearms, and to allow the City of Philadelphia to continue its efforts to regulate firearms for the health, safety and welfare of the City.

WHEREAS, The City is faced with a wave of gun related crimes, which sadly and frequently result in death, life threatening injuries, and permanent disabilities; and

WHEREAS, Between January and June 2011, there were 127 murders by gunshot and 674 gunshot victims in the City; and

WHEREAS, Many of the firearms used in crimes were purchased legally through straw purchases (the purchase of weapons for others who are not legally authorized to purchase them), only eventually to come into the possession of criminals; and

WHEREAS, Regulations requiring the reporting of lost or stolen firearms are likely to discourage straw purchases; indeed, studies indicate that more firearms used in the commission of criminal offenses originate in states without lost or stolen gun reporting legislation; and

WHEREAS, The City, in an effort to combat the wave of gun related violence, enacted five ordinances, on April 10, 2008 regulating the ownership and transfer of firearms within the City, among which is Bill No. 080032-A “Lost or Stolen Gun Ordinance,” requiring gun owners to report their lost or stolen firearms to police within twenty-four hours after discovery of the theft for the purpose of limiting straw purchases; and

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WHEREAS, Laws requiring gun owners to notify law enforcement about lost or stolen weapons have survived court challenges and remain in effect in 30 municipalities throughout Pennsylvania, including Philadelphia; and

WHEREAS, House Bill No. 1523, currently before the Pennsylvania Legislature, seeks to curtail the passage of local legislation regulating firearms by subjecting municipalities that pass such regulations to stringent financial penalties in the event the regulations are challenged; and

WHEREAS, House Bill No.1523, for example, requires a municipality to pay three times the actual damages plus attorneys' fees and costs to any party successfully challenging a local ordinance regulating firearms; and

WHEREAS, The looming threat of such penalties will likely discourage municipalities from enacting and enforcing their own gun regulations and result in the continuation of gun related crimes and more unnecessary deaths, injuries and disabilities; and

WHEREAS, It is crucial to ensure the safety of the residents of the City and its many visitors that the City be able to enact and enforce laws, such as the Lost or Stolen Gun Ordinance; now therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the City Council of the City of Philadelphia hereby urges the Pennsylvania General Assembly, Senate, and Governor Tom Corbett to reject House Bill No. 1523 which could impose heavy financial penalties on municipalities that adopt or enforce reasonable regulations of firearms, and to allow the City of Philadelphia to continue its efforts to regulate firearms for the health, safety and welfare of the City.

FURTHER RESOLVED, That a copy of this resolution be forwarded to the Pennsylvania General Assembly, Senate, and Governor Tom Corbett as evidence of the grave concern of this legislative body.

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