



Legislation Text

File #: CB 118436, Version: 1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE requiring the reporting of lost and stolen firearms; and creating a new Chapter 10.78 of the Seattle Municipal Code.

WHEREAS, the Seattle Police Department has taken 2,657 firearms into custody since January 2012 through the course of its regular duties; and

WHEREAS, crime statistics show guns play a significant role in many crimes against persons in Seattle, with crime reports indicating the involvement of a firearm in 69% of homicides, 17% of robbery incidents, and 8% of aggravated assaults that took place from January 2012 to May 2015; and

WHEREAS, several hundred thousand firearms are lost or stolen each year, many of which go unreported; and

WHEREAS, lost or stolen firearms are frequently involved in the commission of crimes; and

WHEREAS, laws that require the reporting of lost and stolen firearms to police promote public safety by enabling law enforcement to better track firearms used in the commission of a crime and illegal guns; and

WHEREAS, mandatory reporting requirements also help return lost guns to their rightful owners and protect gun owners from being wrongly implicated in crimes committed with lost or stolen guns; and

WHEREAS, a January 2011 national poll conducted by the firms Momentum Analysis and American Viewpoint for the organization Mayors Against Illegal Guns found that 94% of the respondents favored mandatory reporting of lost and stolen firearms, with similarly high levels of support among gun-owning households; and

WHEREAS, another nationwide poll conducted in May 2012 by the firm Luntz Global for Mayors Against Illegal Guns likewise found strong, two-thirds support from gun owners for a reporting requirement; and

WHEREAS, federal law currently requires licensed firearms dealers to report lost or stolen guns, but the law does not extend to individual gun owners; and

WHEREAS, this ordinance does not impose criminal penalties on any person for any act or omission, and is not intended to regulate the registration, licensing, possession, purchase, sale, acquisition, transfer, discharge, or transportation of firearms, or any other element relating to firearms or parts thereof, including ammunition and reloader components; and

WHEREAS, other states and local jurisdictions require the prompt reporting of lost and stolen firearms; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Chapter 10.78 is added to the Seattle Municipal Code as follows:

Chapter 10.78 LOST OR STOLEN FIREARMS

10.78.010 Reporting theft or loss of firearm required

A. If a firearm is lost or stolen, the person who owned or was in possession of the firearm shall report the theft or loss to the Seattle Police Department. The report shall be made within 24 hours after the theft or loss is first discovered, and shall include to the extent known:

1. The firearm's caliber, make, model, manufacturer, and serial number;
2. Any other distinguishing number or identification mark on the firearm; and
3. The circumstances of the loss or theft, including the date, place, and manner.

B. On receipt of a report of a stolen or lost firearm under this section, the Seattle Police Department shall enter into the National Crime Information Center Database the following information, to the extent known:

1. The firearm's caliber, make, model, manufacturer, and serial number; and
2. Any other distinguishing number or identification mark on the firearm.

C. The failure to comply with subsection 10.78.010.A shall constitute a civil infraction subject to a civil fine or forfeiture in accordance with Section 12A.02.080.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2015, and signed by me in open session in authentication of its passage this ____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)