

2021-K1028

Assembly Resolution No. 1028

BY: M. of A. Rules (Wallace)

URGING the United States Congress to reinstate the
Federal Assault Weapons Ban of 1994

WHEREAS, It is the sense of this Legislative Body to urge the United States Congress to reinstate the Federal Assault Weapons Ban of 1994, which was passed in an effort to prevent mass shootings; and

WHEREAS, The Federal Assault Weapons Ban was a subsection of the Violent Crime Control and Law Enforcement Act of 1994, a United States federal law which included a prohibition on the manufacture for civilian use of certain semi-automatic firearms that were defined as assault weapons as well as certain ammunition magazines that were defined as large capacity magazines, detachable firearm magazines which can hold more than 10 rounds of ammunition; large capacity bans are an integral component of the Federal Assault Weapons Ban because they also apply to semiautomatic firearms without military-style features; and

WHEREAS, Assault weapons equipped with a large capacity magazine are designed to fire bullets at higher velocities than handguns, and victims who are struck by multiple rounds are 60 percent more likely to die than those struck by a single bullet; and

WHEREAS, On September 13, 1994, the 10-year ban was passed by the United States Congress, and was signed into law by former President Bill Clinton on the same day; the ban only applied to weapons manufactured

after the date of the law's enactment; and

WHEREAS, After the Federal Assault Weapons Ban expired on September 13, 2004, several constitutional challenges were filed against provisions of the ban, however, all were rejected by the courts; and

WHEREAS, After the ban expired, assault weapons and large capacity magazines once again became legal to manufacture and purchase; since the expiration of the ban, these types of weapons have been used in some of the Nation's worst modern-day shootings, including most recently on May 14, 2022, in Buffalo, New York, where 10 people were fatally shot in a grocery market and on May 24, 2022, in Uvalde, Texas, where 19 elementary children and two teachers were fatally shot; and

WHEREAS, According to a 2017 Journal of Urban Health study, assault weapons and other high-capacity semiautomatics together generally account for 22 to 36 percent of crime guns, with some estimates upwards of 40 percent for cases involving serious violence including murders of police officers; and

WHEREAS, Trend analyses also indicate that high-capacity semiautomatics have grown from 33 to 112 percent as a share of crime guns since the expiration of the federal ban, a trend that has coincided with recent growth in shootings nationwide; and

WHEREAS, Moreover, law enforcement recovery of assault weapons fell nationwide while the ban was in place; and

WHEREAS, According to further research, gun massacres fell 37 percent while the ban was in place, and rose by 183 percent after it expired; and

WHEREAS, A 2019 study examined mass shootings from 1981 through 2017, and found that during the 10-year period the federal ban was in effect, mass shooting fatalities were 70 percent less likely to occur than either before or after the ban; and

WHEREAS, Today, almost two decades after the Federal Assault Weapons Ban expired, there are approximately 15 million assault weapons in the United States; and

WHEREAS, The State of New York's gun laws have decreased access to certain firearms; 74 percent of guns recovered from New York originated from six states with weaker gun laws; and

WHEREAS, We as the governing body of the State of New York, along with the members of our Congressional Delegation, implore the President of the Senate of the United States and the Speaker of the House of Representatives to reinstate the Federal Assault Weapons Ban of 1994, in order to decrease the frequency of mass shootings leading to the senseless deaths of thousands of innocent Americans; now, therefore, be it

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each member of the Congressional Delegation from the State of New York.