



City of Chicago



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Office of the City Clerk

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Meeting Date:	3/28/2018
Sponsor(s):	Emanuel (Mayor) Burke (14)
Type:	Ordinance
Title:	Amendment of Municipal Code Chapter 2-92 by adding new Section 2-92-327 regarding gun sale policies
Committee(s) Assignment:	Committee on Finance

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

March 28, 2018

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Chief Financial Officer, I transmit herewith, together with Alderman Burke, an ordinance amending Chapter 2-92 of the Municipal Code regarding gun sales policies.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, gun violence has categorically assailed the very public health, safety, morals, and welfare that we are charged with protecting; and

WHEREAS, that devastation reaches its highest point when it grips the youngest among us; and

WHEREAS, time and again, we have joined in a state of national mourning after yet another group of schoolchildren is gunned down; and

WHEREAS, most recently, on February 14, 2018, a shooting at Marjory Stoneman Douglas High School in Parkland, Florida claimed more young lives; and

WHEREAS, seventeen people were killed and seventeen more were wounded, making it one of the deadliest school massacres; and

WHEREAS, the student survivors of this tragedy are charging forth in efforts to effect gun policy changes so that their story is the last one like it; and

WHEREAS, student and youth leaders have coalesced to form a national "March For Our Lives" movement that, on March 24, 2018, saw nearly 800 anti-gun violence rallies in major cities across the world, including the nation's capital and Chicago; and

WHEREAS, in a signal that the gun policy reform movement is gaining traction, some businesses are shifting towards more gun safety minded business practices; and

WHEREAS, Dick's Sporting Goods was one of the first to announce that they would change the minimum age for gun buyers to twenty-one (21) at their stores across the United States; and

WHEREAS, Walmart, one of the nation's largest retailers, followed suit by announcing the same policy shortly thereafter; and

WHEREAS, Citigroup is taking the lead among Wall Street banks by requiring some of its clients and customers to prohibit the sale of bump stocks and high capacity magazines as well as the sale of firearms to individuals who have not passed a background check or who are younger than twenty-one (21) years of age; and

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WHEREAS, Citigroup's new restrictions would apply to all clients who offer credit cards backed by Citigroup or borrow money, use banking services, or raise capital through the company, according to a *New York Times* article; and

WHEREAS, as youth-led activism and corporate responsibility are stepping in where those charged with setting national gun control policies are failing, it is our turn now to gauge how we can encourage, support, and lead in these efforts; and

WHEREAS, in Chicago, the daily tally of gun violence victims casts a pall upon every conscientious leader's order of business and demands from each of us the relentless pursuit of its eradication; and

WHEREAS, it is incumbent upon the members of this City Council to ensure that the City's business practices align with a mission to foster safer and more responsible gun sale practices; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-92 of the Municipal Code of Chicago is hereby amended by inserting Section 2-92-327 as follows:

2-92-327. Gun Sales Policies.

(a) *Requirement.* No financial institution shall be eligible to do business with the City, as defined in Section 1-23-010, or be awarded a contract with the City, or any renewal or extension thereof, if the financial institution has not adopted a safe gun sales policy applicable to its retailer clients, partners, or customers. A safe gun sales policy shall be a requirement of all City of Chicago employee pension plan investment policies.

(b) *Affidavit.* Each financial institution with which the City enters into a contract, whether subject to competitive bid or not, must complete an affidavit verifying that it has adopted a safe gun sales policy in compliance with this Section. Such affidavit shall detail the policy.

(c) *Non-compliance.* Any contract awarded in violation of this Section shall be voidable at the option of the City Council. A financial institution which fails to comply with the provisions of this Section may be deemed ineligible to do business with the City.

(d) *Definitions.* For purposes of this Section, the following definitions apply:

"*Bump-fire stock*" means a butt stock designed to be attached to a semi-automatic firearm and designed, made, or altered, and intended to increase the rate of fire achievable with the firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

"Financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, a trust company, a savings bank, an investment bank, a securities broker, a municipal securities broker, a securities dealer, a municipal securities dealer, a securities underwriter, a municipal securities underwriter, an investment trust, a venture capital company, a bank holding company, a financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. For purposes of this Section, financial institutions include municipal depositories and entities whose predominant business is the provision of tax deferred, defined contribution, pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

"Retailer client, partner, or customer" means any natural person or business entity as defined in Chapter 1-23 that offers for sale at retail firearms, assault weapons, ammunition, or high capacity magazines as these are defined in Section 8-20-010 and who offers credit cards backed by the financial institution, borrows money, raises capital, or uses banking services through the financial institution.

"Safe gun sales policy" means the implementation of requirements that shall include but not be limited to the following:

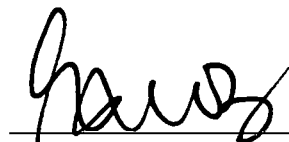
- 1) A minimum age of 21 years for firearm, assault weapon, or ammunition purchasers;
- 2) Prohibition on sale of firearms and assault weapons to individuals who do not pass a background check;
- 3) No bump-fire stock sales;
- 4) No high capacity magazine sales.

(e) Severability.

If any provision, clause, sentence, paragraph, or part of this Section or application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Section and the application of such provision to other persons or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof already involved in the controversy in which such judgment has been rendered and to the person and circumstances affected thereby.

SECTION 2. This ordinance shall be in full force and effect ninety (90) days after passage.

Rahm Emanuel, Mayor



Edward M. Burke
Alderman, 14th Ward