

ADOPTED BY THE
MAYOR AND COUNCIL

May 29, 2013

ORDINANCE NO. 11081

RELATING TO PUBLIC HEALTH AND SAFETY; AMENDING THE TUCSON CODE, CHAPTER 11, CRIMES & OFFENSES, ARTICLE I, IN GENERAL BY ADDING A NEW SECTION 11-56 TO REQUIRE REPORTING OF STOLEN AND/OR LOST FIREARMS; AND DECLARING AN EMERGENCY.

WHEREAS, many jurisdictions throughout the United States, at both the local and state levels, have adopted requirements for the reporting of lost and/or stolen firearms to law enforcement officials; and

WHEREAS, while federal law requires that licensed firearms dealers report the loss or theft of any firearm from the dealer's inventory to the U.S. Attorney General or local law enforcement within 48 hours of discovering the loss or theft, Arizona state law does not provide any similar requirement or establish any penalty for a failure to report the loss or theft of a firearm:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Tucson Code is amended by adding a new Section 11-56 to read as follows:

...

...

**CHAPTER 11
CRIMES & OFFENSES**

Article I. In General

* * *

Sec. 11-56. Reporting of stolen and/or lost firearms required.

- A. Any person who owns or possesses a firearm shall report the theft or loss of such firearm to the Tucson Police Department within forty-eight (48) hours of the time he or she knew or should have known the firearm has been stolen or lost, when either the owner or possessor resides in the city, or the theft or loss of the firearm occurs in the city. As used in this section, "firearm" has the same set forth in Arizona Revised Statutes Section 13-105(19).
- B. The provisions of subsection (A) of this section shall not apply to any of the following:
- 1) Law enforcement officials while engaged in their official duties;
 - 2) Members of the Armed Forces of the United States, or of the National Guard, while engaged in their official duties;
 - 3) Firearms dealers and manufacturers licensed under federal law who are subject to the reporting requirements of 18 U.S.C. Section 923(g)(6).
- C. A failure to report the loss or theft of a firearm as required in this section is a violation of the provisions of this section and constitutes a civil infraction, punishable by a civil sanction of one hundred dollars (\$100.00).

SECTION 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 3. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that this Ordinance become

immediately effective, an emergency is hereby declared to exist and this Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, May 29, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:

CITY MANAGER

MR/dg
5/20/13