

520

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. KRUEGER, HUNTLEY, SERRANO, STAVISKY -- read twice
and ordered printed, and when printed to be committed to the Committee
on Codes

AN ACT to amend the penal law and the environmental conservation law, in
relation to requiring completion of a gun safety course as a condition
for a license to possess a pistol, revolver, rifle or shotgun

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 400.00 of the penal law is amended by adding a new
2 subdivision 2-a to read as follows:
3 2-A. SAFETY COURSE REQUIREMENT. (A) ANYWHERE IN NEW YORK STATE WHERE A
4 LICENSE IS REQUIRED TO CARRY OR POSSESS A PISTOL, REVOLVER, RIFLE OR
5 SHOTGUN, COMPLETION OF A THREE HOUR WEAPONS SAFETY TRAINING COURSE,
6 CERTIFIED BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND ADMINIS-
7 TERED BY THE LOCAL LICENSING OFFICER, SHALL BE A PREREQUISITE TO THE
8 ISSUANCE OF SUCH LICENSE. OUTSIDE THE CITY OF NEW YORK, NO DEALER IN
9 FIREARMS SHALL SELL A RIFLE OR SHOTGUN, WITHOUT RETAINING FOR THE
10 RECORDS OF SUCH ESTABLISHMENT, A COPY OF THE CERTIFICATE OF PARTIC-
11 IPATION IN A CERTIFIED WEAPONS SAFETY TRAINING COURSE OR A COPY OF A NEW
12 YORK RESIDENT HUNTING LICENSE ISSUED BY THE DEPARTMENT OF ENVIRONMENTAL
13 CONSERVATION AND CURRENTLY VALID FOR HUNTING WITH A RIFLE OR SHOTGUN, OF
14 ANY INDIVIDUAL PURCHASING SUCH A WEAPON. FAILURE OF A DEALER IN FIREARMS
15 TO RETAIN A COPY OF A CERTIFICATE OF PARTICIPATION OR HUNTING LICENSE
16 REQUIRED TO BE RETAINED PURSUANT TO THIS SUBDIVISION, SHALL CONSTITUTE A
17 VIOLATION, PUNISHABLE BY A CIVIL FINE OF TWO HUNDRED DOLLARS.
18 (B) INSTRUCTORS FOR THE COURSE SHALL HAVE COMPLETED THE MUNICIPAL
19 POLICE TRAINING COUNCIL'S FIREARM INSTRUCTOR TRAINING COURSE AND BE
20 CERTIFIED AS QUALIFIED INSTRUCTORS OF SUCH PROGRAMS.
21 (C) THE AMOUNT OF THE FEE FOR TAKING SUCH A COURSE SHALL BE ESTAB-
22 LISHED BY THE MUNICIPALITY ADMINISTERING THE COURSE WHICH SHALL DEPOSIT

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 SUCH FEE IN THE COUNTY TREASURY OR IN THE CITY OF NEW YORK, THE CITY
2 TREASURY, TO BE USED TO COVER THE COSTS OF ADMINISTERING THE COURSE AND
3 TO ENHANCE LAW ENFORCEMENT EFFORTS AND NOT TO SUPPLANT ORDINARY BUDGET
4 COSTS.

5 S 2. Subdivision 2 of section 3-0301 of the environmental conservation
6 law is amended by adding a new paragraph dd to read as follows:

7 DD. PROMULGATE MINIMUM STANDARDS FOR A THREE HOUR WEAPONS SAFETY
8 TRAINING COURSE.

9 S 3. This act shall take effect on the one hundred eightieth day after
10 it shall have become a law. Effective immediately, the standards
11 required by section two of this act shall be promulgated on or before
12 the ninetieth day after this act shall have become a law.