S T A T E O F N E W Y O R K

1202

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ZEBROWSKI -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to licenses to carry and possess firearms for retired police officers

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

Section 1. Subdivision 4-a of section 400.00 of the penal law, as added by chapter 233 of the laws of 1980, is amended to read as follows:

4-a. Processing of license applications. (A) Applications for licenses shall be accepted for processing by the licensing officer at the time of presentment. Except upon written notice to the applicant specifically stating the reasons for any delay, in each case the licensing officer shall act upon any application for a license pursuant to this section within six months of the date of presentment of such an application to the appropriate authority. Such delay may only be for good cause and with respect to the applicant. In acting upon an application, the licensing officer shall either deny the application for reasons specifically and concisely stated in writing or grant the application and issue the license applied for. A RETIRED POLICE OFFICER WHO SUBMITS AN APPLICATION CONTAINING A CERTIFICATION OR ATTESTATION FROM THE LAW ENFORCEMENT AGENCY OR DEPARTMENT FROM WHICH HE OR SHE RETIRED IN GOOD STANDING, SHALL BE PRESUMPTIVE EVIDENCE AS TO THE FITNESS AND QUALIFICATION TO CARRY AND POSSESS FIREARMS. THE LICENSING AUTHORITY WITH JURISDICTION IN THE COUNTY OR CITY HAVING A POPULATION OF LESS THAN ONE MILLION, SHALL ISSUE A LICENSE TO CARRY AND POSSESS A PISTOL OR REVOLVER PURSUANT TO THIS SECTION WITHIN SIXTY DAYS OF A RETIRED POLICE OFFICER APPLICANT'S SUBMISSION AND SUCH LICENSE SHALL AUTHORIZE THE LICENSEE TO CARRY AND POSSESS FIREARMS IN EVERY COUNTY AND CITY IN THIS STATE.

(B) FOR THE PURPOSES OF THIS SECTION, "RETIRED POLICE OFFICER" SHALL MEAN A FORMER POLICE OFFICER, AS DEFINED IN SUBDIVISION THIRTY-FOUR OF

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

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SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, WHO UPON SEPARATION FROM A LAW ENFORCEMENT AGENCY OR DEPARTMENT WAS IMMEDIATELY ENTITLED TO RECEIVE RETIREMENT BENEFITS UNDER THE PROVISIONS OF THE RETIREMENT AND SOCIAL SECURITY LAW OR THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.

S 2. This act shall take effect immediately.