

1796

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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

AN ACT to amend the penal law, in relation to expiration and renewal provisions of certain firearms licenses

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

1 Section 1. Subdivision 10 of section 400.00 of the penal law, as
2 amended by chapter 447 of the laws of 1997, is amended to read as
3 follows:
4 10. License: expiration, certification and renewal. Any license for
5 gunsmith or dealer in firearms and, in the city of New York, any license
6 to carry or possess a pistol or revolver, issued at any time pursuant to
7 this section or prior to the first day of July, nineteen hundred sixty-
8 three and not limited to expire on an earlier date fixed in the license,
9 shall expire not more than [three] TWO years after the date of issuance.
10 In the counties of Nassau, Suffolk and Westchester, any license to carry
11 or possess a pistol or revolver, issued at any time pursuant to this
12 section or prior to the first day of July, nineteen hundred sixty-three
13 and not limited to expire on an earlier date fixed in the license, shall
14 expire not more than [five] TWO years after the date of issuance; howev-
15 er, in the county of Westchester, any such license shall be certified
16 prior to the first day of April, two thousand, in accordance with a
17 schedule to be contained in regulations promulgated by the commissioner
18 of the division of criminal justice services, and every such license
19 shall be recertified every [five] TWO years thereafter. For purposes of
20 this section certification shall mean that the licensee shall provide to
21 the licensing officer the following information only: current name,
22 date of birth, current address, and the make, model, caliber and serial
23 number of all firearms currently possessed. Such certification informa-
24 tion shall be filed by the licensing officer in the same manner as an

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

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1 amendment. Elsewhere than in the city of New York and the counties of
2 Nassau, Suffolk and Westchester, any license to carry or possess a
3 pistol or revolver, issued at any time pursuant to this section or prior
4 to the first day of July, nineteen hundred sixty-three and not previous-
5 ly revoked or cancelled, shall be in force and effect until revoked as
6 herein provided. ELSEWHERE THAN IN THE CITY OF NEW YORK, COUNTIES OF
7 NASSAU, SUFFOLK OR WESTCHESTER, ANY LICENSE TO CARRY OR POSSESS A PISTOL
8 OR REVOLVER, ISSUED AT ANY TIME PURSUANT TO THIS SECTION OR PRIOR TO THE
9 FIRST DAY OF JULY, NINETEEN HUNDRED SIXTY-THREE AND NOT LIMITED TO
10 EXPIRE ON AN EARLIER DATE FIXED IN THE LICENSE, SHALL EXPIRE NOT MORE
11 THAN TWO YEARS AFTER THE DATE OF ISSUANCE. Any license not previously
12 cancelled or revoked shall remain in full force and effect for thirty
13 days beyond the stated expiration date on such license. Any application
14 to renew a license that has not previously expired, been revoked or
15 cancelled shall thereby extend the term of the license until disposition
16 of the application by the licensing officer. In the case of a license
17 for gunsmith or dealer in firearms, in counties having a population of
18 less than two hundred thousand inhabitants, photographs and fingerprints
19 shall be submitted on original applications and upon renewal thereafter
20 only at [six] TWO year intervals. Upon satisfactory proof that a
21 currently valid original license has been despoiled, lost or otherwise
22 removed from the possession of the licensee and upon application
23 containing an additional photograph of the licensee, the licensing offi-
24 cer shall issue a duplicate license.

25 S 2. This act shall take effect immediately.