

# STATE OF NEW YORK

1725

2021-2022 Regular Sessions

## IN SENATE

January 14, 2021

Introduced by Sens. GALLIVAN, AKSHAR, JORDAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to expanding the definition of immediate family to include siblings, grandparents and grandchildren as such term relates to the private sale or disposal of certain firearms

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 898 of the general business law,  
2 as amended by chapter 129 of the laws of 2019, is amended to read as  
3 follows:  
4 1. In addition to any other requirements pursuant to state and federal  
5 law, all sales, exchanges or disposals of firearms, rifles or shotguns  
6 shall be conducted in accordance with this section unless such sale,  
7 exchange or disposal is conducted by a licensed importer, licensed  
8 manufacturer or licensed dealer, as those terms are defined in 18 USC §  
9 [~~922~~] 921, when such sale, exchange or disposal is conducted pursuant to  
10 that person's federal firearms license or such sale, exchange or  
11 disposal is between members of an immediate family. When a sale,  
12 exchange or disposal is conducted pursuant to a person's federal  
13 firearms license, before delivering a firearm, rifle or shotgun to any  
14 person, either (a) the National Instant Criminal Background Check System  
15 (NICS) or its successor has issued a "proceed" response to the federal  
16 firearms licensee, or (b) thirty calendar days shall have elapsed since  
17 the date the federal firearms licensee contacted NICS to initiate a  
18 national instant criminal background check and NICS has not notified the  
19 federal firearms licensee that the transfer of the firearm, rifle or  
20 shotgun to such person should be denied. For purposes of this section,  
21 "immediate family" shall mean spouses, domestic partners, children  
22 [~~and~~], step-children, siblings, grandparents and grandchildren.  
23 § 2. This act shall take effect immediately.

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

LBD04051-01-1