

STATE OF NEW YORK

743

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to requiring warnings regarding rifles and shotguns; and to amend a chapter of the laws of 2024 amending the penal law relating to warnings to be posted and provided by firearms dealers, as proposed in legislative bills numbers S.6649 and A. 2882, in relation to making certain technical corrections thereto

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

1 Section 1. Subdivision 20 of section 400.00 of the penal law, as added
2 by a chapter of the laws of 2024 amending the penal law relating to
3 warnings to be posted and provided by firearms dealers, as proposed in
4 legislative bills numbers S.6649 and A. 2882, is amended to read as
5 follows:

6 20. Firearms dealers; required warnings. (a) (i) Every person licensed
7 as a gunsmith or a dealer in firearms shall post the following notice at
8 the site where such [~~weapons~~ rifles, shotguns, or firearms are sold,
9 displayed or delivered to the purchaser, at the entrance to the site and
10 in at least one additional area where sales occur, conspicuously stat-
11 ing, in no smaller than twenty-six-point type on a sign at least eight
12 and one-half by eleven inches in bold print:

13 WARNING

14 ACCESS TO A [~~WEAPON~~ RIFLE, SHOTGUN,
15 OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
16 RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
17 DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

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

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1 IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL
2 THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

3 (ii) Every firearms dealer shall distribute a notice to the purchaser
4 at the time of each individual sale of a [~~weapon~~] rifle, shotgun, or
5 firearm, conspicuously stating, in no smaller than twenty-six-point type
6 and on paper at least eight and one-half by eleven inches in bold print
7 the following warning:

8 WARNING

9 ACCESS TO A [~~WEAPON~~] RIFLE, SHOTGUN,
10 OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
11 RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
12 DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

13 IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL
14 THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

15 (iii) Upon the issuance of or amendment to a rifle, shotgun, or
16 firearm [~~or weapon~~] license and/or permit, the licensing officer shall
17 provide the licensee/permittee a written copy of a warning notice
18 conspicuously stating in no smaller than twenty-six-point type and on
19 paper at least eight and one-half by eleven inches in bold print the
20 following warning:

21 WARNING

22 ACCESS TO A [~~WEAPON~~] RIFLE, SHOTGUN,
23 OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
24 RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
25 DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

26 IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL
27 THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

28 (b) No licensing officer, local government, or any employee thereof
29 shall be liable to any person by reason of any injury or damage result-
30 ing from the failure of any gunsmith or firearms dealer to comply with
31 this subdivision or in consequence of any act or omission in connection
32 with the implementation or enforcement of this subdivision.

33 [~~(i) Failure to comply with any provision of this subdivision~~
34 ~~shall be~~] Any person, firm, or corporation required to post or distrib-
35 ute warnings pursuant to subparagraph (i) or (ii) of paragraph (a) of
36 this subdivision who fails to post or distribute in the manner provided
37 for in such provisions shall be guilty of a violation punishable by
38 imprisonment of not more than fifteen days or by a fine of not more than
39 one thousand dollars, or both. Each day that a violation continues shall
40 be deemed a separate offense.

41 [~~(ii) The provisions of this subdivision shall be enforced within each~~
42 ~~municipality by the applicable local police force, including town, city~~
43 ~~and village police departments which officers are authorized to issue~~
44 ~~appearance tickets. Appearance tickets shall be served personally.]~~

45 (d) The provisions of this subdivision shall not supersede any local
46 law or ordinance that imposes stricter disclosure or notice require-
47 ments; and notices required by this subdivision shall be in addition to

1 any other notices required by any other federal, state or local law,
2 ordinance, rule or regulation.

3 § 2. Section 2 of a chapter of the laws of 2024 amending the penal law
4 relating to warnings to be posted and provided by firearms dealers, as
5 proposed in legislative bills numbers S.6649 and A. 2882, is renumbered
6 section 3 and a new section 2 is added to read as follows:

7 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
8 sion, section or part of this act shall be adjudged by any court of
9 competent jurisdiction to be invalid, such judgment shall not affect,
10 impair, or invalidate the remainder thereof, but shall be confined in
11 its operation to the clause, sentence, paragraph, subdivision, section
12 or part thereof directly involved in the controversy in which such judg-
13 ment shall have been rendered. It is hereby declared to be the intent of
14 the legislature that this act would have been enacted even if such
15 invalid provisions had not been included herein.

16 § 3. This act shall take effect on the same date and in the same
17 manner as a chapter of the laws of 2024 amending the penal law relating
18 to warnings to be posted and provided by firearms dealers, as proposed
19 in legislative bills numbers S.6649 and A. 2882, takes effect.