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

1710

2009-2010 Regular Sessions

I N A S S E M B L Y

January 9, 2009

Introduced by M. of A. ENGLEBRIGHT, CARROZZA, DINOWITZ, GALEF, ORTIZ, PHEFFER, ESPAILLAT, EDDINGTON -- Multi-Sponsored by -- M. of A. COLTON, CYMBROWITZ, GIANARIS, GOTTFRIED, MAYERSOHN, MILLMAN, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the sale of rifles and shotguns

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

Section 1. The penal law is amended by adding a new section 265.45 to read as follows:

S 265.45 SALE OR DELIVERY OF RIFLES OR SHOTGUNS.

1. ANY PERSON IN THE BUSINESS OF SELLING RIFLES OR SHOTGUNS IN THIS STATE, WHETHER OR NOT LICENSED, BEFORE SELLING OR DELIVERING A RIFLE OR SHOTGUN TO ANY OTHER PERSON, OTHER THAN TO OR FROM A DEALER OR GUNSMITH FOR PURPOSES OF REPAIR OR RESTORATION, SHALL REQUIRE SUCH OTHER PERSON TO PRODUCE AT LEAST TWO FORMS OF APPARENTLY VALID PROOF OF IDENTIFICATION WHICH INCLUDE NAME, DATE OF BIRTH AND RESIDENCE, ONE OF WHICH SHALL INCLUDE A PHOTOGRAPH OF THE PERSON PRESENTING SUCH IDENTIFICATION.

2. IN ADDITION, IF ON THE BASIS OF SUCH IDENTIFICATION IT APPEARS TO THE PERSON IN THE BUSINESS OF SELLING RIFLES OR SHOTGUNS THAT SUCH OTHER PERSON IS A RESIDENT OF THE CITY OF NEW YORK, THE PERSON IN THE BUSINESS OF SELLING THE RIFLE OR SHOTGUN SHALL REQUIRE SUCH OTHER PERSON TO PRODUCE AN APPARENTLY VALID PERMIT FOR THE POSSESSION AND PURCHASE OF RIFLES AND SHOTGUNS ISSUED TO SUCH OTHER PERSON PURSUANT TO SECTION 10-303 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.

3. A VIOLATION OF THE PROVISIONS OF THIS SECTION IS A CLASS A MISDEMEANOR.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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