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

2885

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. KOON, GOTTFRIED, CLARK, DINOWITZ, GREENE -- Multi-Sponsored by -- M. of A. GALEF, LAVINE, McENENY, ORTIZ, PHEFFER, WEINSTEIN -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the sale, distribution or transfer of unsafe firearms

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

Section 1. Section 400.00 of the penal law is amended by adding a new subdivision 12-b to read as follows:

12-B. THE SUPERINTENDENT OF STATE POLICE SHALL ISSUE RULES AND REGULATIONS TO PREVENT THE SALE, DISTRIBUTION OR TRANSFER OF UNSAFE FIREARMS DIRECTLY OR INDIRECTLY TO THE STATE. SUCH RULES AND REGULATIONS SHALL ESTABLISH SAFETY STANDARDS, INCLUDING BUT NOT LIMITED TO, SPECIFICATIONS AS TO MATERIALS AND PARTS USED, TENSILE STRENGTH AND MELTING POINT, THE PLACEMENT OF TAMPER-RESISTANT SERIAL NUMBERS, SAFETY MECHANISMS AND LOCKING DEVICES TO PREVENT THE USE OF THE FIREARM BY UNAUTHORIZED USERS, ENDURANCE AND DROP TESTS, THE PROPER STORAGE AND SHIPMENT OF FIREARMS, AND MINIMUM STANDARDS OF QUALITY CONTROL. IN ADDITION TO ANY OTHER PENALTIES PROVIDED FOR IN THIS SECTION, ANY PERSON, FIRM OR CORPORATION WHO FAILS TO COMPLY WITH THE PROVISIONS OF THIS SUBDIVISION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION.

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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