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

2938

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the prohibition of illegal gun trafficking

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 ILLEGAL GUN TRAFFICKING.

A PERSON IS GUILTY OF ILLEGAL GUN TRAFFICKING WHEN SUCH PERSON KNOWINGLY AND INTENTIONALLY DISTRIBUTES, TRANSPORTS, SHIPS, RECEIVES, BARTERS, PURCHASES OR SELLS ANY FIREARM WHICH HAS:

1. BEEN USED DURING THE COMMISSION OF A CRIME;

2. BEEN STOLEN;

3. HAD THE IMPORTER'S OR MANUFACTURER'S SERIAL NUMBER REMOVED, OBLITERATED OR ALTERED; OR

4. BEEN DEFACED.

ILLEGAL GUN TRAFFICKING IS A CLASS D FELONY.

S 2. This act shall take effect on the one hundred twentieth day after 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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