

9423

I N A S S E M B L Y

(PREFILED)

January 6, 2010

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

AN ACT to direct the division of criminal justice services to study, review and report, to the governor and the legislature, on the laws, rules and regulations relating to air rifles, air pistols and other non-powder guns

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that recent advances in technologies associated with air
3 rifles, air pistols and other non-powder guns have resulted in products
4 that are substantially different than those common in past decades.
5 Changes in materials and techniques used to produce non-powder weapons
6 and ammunition, and the development of guns using carbon dioxide cylinders
7 and external supplies of compressed gas, have resulted in the emergence
8 of air guns that can approach the velocity and force of weapons
9 using gunpowder. The continued development of more powerful and accurate
10 air guns makes it incumbent on the state of New York to reassess
11 the adequacy of its laws, rules, regulations and policies to ensure that
12 the public interest continues to be served.
13 S 2. (a) The division of criminal justice services shall examine,
14 evaluate, review and make recommendations concerning:
15 (1) the current state of and anticipated developments in technologies
16 associated with the design, production and use of air rifles, air
17 pistols and other similar non-powder guns, including the ammunition and
18 ancillary equipment therefor;
19 (2) the current state statutes, the current rules, regulations and
20 policies of state agencies, and any significant laws, codes, ordinances,
21 rules, regulations and policies of municipalities in the state relating
22 to air rifles, air pistols and other similar non-powder guns, including
23 ammunition and ancillary equipment therefor;
24 (3) recent developments in statutes, rules, regulations and policies
25 in other jurisdictions; and

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

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1 (4) the extent to which the statutes, rules, regulations and policies
2 reviewed pursuant to paragraph two of this subdivision serve the public
3 interest.

4 (b) In conducting its examination, evaluation, review and formation of
5 recommendations pursuant to subdivision (a) of this section, the divi-
6 sion of criminal justice services shall consult with the department of
7 environmental conservation, the division of state police, the office of
8 homeland security and other appropriate state and local agencies and
9 offices, and shall solicit and consider input from the public.

10 S 3. Within one year of the effective date of this act, the division
11 of criminal justice services shall make a report to the governor and the
12 legislature of its findings, conclusions and recommendations and shall,
13 with its report, submit such legislative proposals and options for
14 changes in rules, regulations and policies as it deems necessary to
15 implement its recommendations.

16 S 4. This act shall take effect immediately.