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

2910

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. KOON, CARROZZA, COLTON, DIAZ -- Multi-Sponsored by -- M. of A. DINOWITZ, GALEF, GLICK, GOTTFRIED, GREENE, JACOBS, MAYERSOHN, McENENY, RAMOS, SCARBOROUGH -- read once and referred to the Committee on Governmental Operations

AN ACT in relation to dangerous firearms

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

Section 1. Legislative findings and declarations. The legislature hereby finds and declares that certain poorly made, easily concealable, and generally unsafe weapons commonly known as "Saturday night specials" or "junk guns" are disproportionately used in the commission of crimes and serve no legitimate sporting or self-protection purpose. The legislature additionally finds and declares that these weapons pose an imminent threat and danger to the safety and security of the people of this state. The legislature further finds and declares that such weapons, if produced outside of the United States, would fail the public safety standards established by the United States bureau of alcohol, tobacco, and firearms for imported firearms under the provisions of the Gun Control Act of 1968, and that, at present, large numbers of such weapons are being manufactured and sold domestically without having to meet these federal import standards.

S 2. The superintendent of the division of state police, in consultation with the secretary of the treasury and the attorney general of the United States, is directed to conduct ongoing tests and evaluations of pistols and revolvers manufactured in this country to determine whether such weapons satisfy the public safety standards relating to size, design and performance established by the United States bureau of alcohol, tobacco, and firearms for the importation of firearms under the provisions of the Gun Control Act of 1968 (18 U.S.C. Sect. 921, et seq.). The superintendent shall compile a list of weapons that, when tested and evaluated using these criteria, fail to satisfy these public

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

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safety standards. The superintendent shall submit such list to the legislature not later than one year after the date of enactment of this act and shall submit an updated list of additional weapons, if any, annually thereafter. Such list shall be made public and available upon request provided, however, that the list of firearms compiled by the superintendent shall not have the force and effect of law unless such list, or any part of such list, is thereafter enacted into law as a provision of the penal law.

S 3. This act shall take effect immediately.