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

4615

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. PRETLOW, HOOPER, GOTTFRIED, GANTT, GREENE, DINOWITZ -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CANESTRARI, CLARK, GALEF, HOYT, JACOBS, JOHN, MAYERSOHN, PHEFFER, SEMINERIO, WEINSTEIN, WEISENBERG, WRIGHT -- read once and referred to the Committee on Codes

AN ACT to amend the general business law, in relation to the sale of ammunition

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

Section 1. The general business law is amended by adding a new article 39-EE to read as follows:

ARTICLE 39-EE

SALE OF AMMUNITION

SECTION 899-T. DEFINITION.

899-U. PROHIBITIONS.

899-V. ENFORCEMENT AND PENALTIES.

S 899-T. DEFINITION. AS USED IN THIS ARTICLE THE TERM "AMMUNITION" SHALL MEAN ANYTHING HURLED BY A WEAPON, INCLUDING BULLETS AND GUNPOWDER.

S 899-U. PROHIBITIONS. NO PERSON, FIRM, CORPORATION OR AGENT OR EMPLOYEE THEREOF SHALL SELL, HOLD FOR SALE OR DISTRIBUTE WITHIN THE STATE ANY AMMUNITION UNLESS THE PERSON RECEIVING THE AMMUNITION HAS PRESENTED A VALID FIREARM LICENSE ISSUED PURSUANT TO SECTION 400.00 OF THE PENAL LAW.

S 899-V. ENFORCEMENT AND PENALTIES. WHENEVER THE ATTORNEY GENERAL SHALL BELIEVE FROM EVIDENCE SATISFACTORY TO HIM OR HER THAT ANY PERSON, FIRM, CORPORATION OR ASSOCIATION OR AGENT OR EMPLOYEE THEREOF HAS VIOLATED ANY PROVISION OF THIS ARTICLE, HE OR SHE MAY BRING AN ACTION OR SPECIAL PROCEEDING IN THE SUPREME COURT FOR A JUDGMENT ENJOINING THE CONTINUANCE OF SUCH VIOLATION AND FOR A CIVIL PENALTY OF NOT LESS THAN FIVE HUNDRED DOLLARS, BUT NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH VIOLATION. EACH SALE OR DISTRIBUTION OF THE AMMUNITION IN THE UNIT

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

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PACKAGING IN WHICH IT IS INTENDED FOR SALE SHALL BE CONSIDERED A SEPARATE 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.