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

2646

2009-2010 Regular Sessions

I N S E N A T E

February 26, 2009

Introduced by Sens. ADAMS, MONSERRATE, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the registration of firearms

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 400.02 to read as follows:

S 400.02 REGISTRATION OF FIREARMS; FEES; RENEWALS.

1. EVERY OWNER OF A FIREARM SHALL PRESENT BY MAIL OR OTHERWISE TO THE CLERK OF THE COUNTY WHEREIN HE OR SHE RESIDES AN APPLICATION FOR REGISTRATION OF SUCH FIREARM. FOR OWNERS RESIDING IN A COUNTY CONTAINED ENTIRELY WITHIN A CITY, SUCH APPLICATION SHALL BE MADE AT THE PRECINCT STATION SERVING THE AREA WHEREIN SUCH OWNER RESIDES. SUCH APPLICATION SHALL CONTAIN A BRIEF DESCRIPTION OF EACH FIREARM TO BE REGISTERED, INCLUDING ANY SERIAL NUMBER THEREON, THE OWNER'S NAME, ADDRESS AND PHONE NUMBER, AND THE LOCATION WHERE THE FIREARM IS TO BE LOCATED WHEN NOT IN USE. WITH RESPECT TO A NEWLY ACQUIRED FIREARM, THE APPLICATION SHALL INCLUDE WHERE AND HOW SUCH FIREARM WAS ACQUIRED.

2. UPON RECEIPT OF A SUFFICIENT APPLICATION, THE REGISTERING OFFICE SHALL PROVIDE THE APPLICANT WITH A REGISTRATION UPON PAYMENT OF A FEE OF FIFTEEN DOLLARS FOR EACH FIREARM REGISTERED.

3. A PERMANENT RECORD OF SUCH REGISTRATION SHALL BE MAINTAINED BY THE REGISTERING OFFICE, AND THE FIREARM OWNER SHALL BE ISSUED A PHOTO IDENTIFICATION POCKET CARD INDICATING THE FIREARM HAS BEEN REGISTERED TO SUCH OWNER.

4. SUCH REGISTRATION SHALL BE RENEWED EACH YEAR FOR A FEE OF TEN DOLLARS. WHENEVER THE REGISTERED OWNER SHALL GIVE, SELL, LOSE OR OTHERWISE CEASE TO POSSESS THE REGISTERED FIREARM, THE REGISTERING OFFICE SHALL BE MADE AWARE OF SUCH TERMINATION OF POSSESSION.

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

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5. WILLFUL FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL BE A MISDEMEANOR.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.