

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

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:

1 Section 1. The general business law is amended by adding a new  
2 section 399-ff to read as follows:

3 S 399-FF. SALE OF AMMUNITION. 1. ALL AMMUNITION SOLD IN THE STATE MUST  
4 HAVE A SERIAL NUMBER IMPRINTED ON THE BULLET JACKET AND BULLET LEAD. THE  
5 SELLER OF AMMUNITION SHALL MAINTAIN A RECORD OF ALL SALES OF AMMUNITION  
6 INCLUDING THE NAME OF THE PURCHASER AND THE SERIAL NUMBERS OF THE AMMU-  
7 NITION SOLD AND BY THE TENTH DAY OF EACH MONTH A COPY OF SUCH RECORDS  
8 FOR THE PREVIOUS MONTH SHALL BE FILED WITH THE MUNICIPAL POLICE AUTHORI-  
9 TIES.

10 2. NO SALE OF AMMUNITION SHALL BE MADE UNLESS THE PURCHASER DISPLAYS A  
11 CURRENT AND VALID GUN PERMIT AND SIGNS A STATEMENT WHICH INCLUDES THE  
12 DECLARATIONS THAT: (A) THE AMMUNITION IS PURCHASED SOLELY FOR USE BY THE  
13 PURCHASER AND (B) UNLESS THE PURCHASER IS IN THE BUSINESS OF OR HAS A  
14 LEGITIMATE REASON TO TRANSFER THE AMMUNITION PURCHASED, THAT THE AMMUNI-  
15 TION PURCHASED WILL NOT BE TRANSFERRED.

16 3. IT SHALL BE UNLAWFUL TO SELL A BULLET CONTAINING AN EXPLOSIVE  
17 SUBSTANCE DESIGNED TO DETONATE UPON IMPACT OR ARMOR PIERCING AMMUNITION  
18 OR TO SELL MORE THAN ONE HUNDRED BULLETS WITHIN ANY NINETY DAY PERIOD  
19 EXCEPT TO:

20 (A) PERSONS IN THE MILITARY SERVICE OF THE STATE OF NEW YORK WHEN DULY  
21 AUTHORIZED BY REGULATIONS ISSUED BY THE ADJUTANT GENERAL TO THE GOVERNOR  
22 TO POSSESS THE SAME, MEMBERS OF THE DIVISION OF STATE POLICE, AND PEACE  
23 OFFICERS AS DEFINED IN SUBDIVISION THIRTY-THREE OF SECTION 1.20 OF THE

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

1 CRIMINAL PROCEDURE LAW AND PERSONS APPOINTED AS RAILROAD POLICEMEN  
2 PURSUANT TO SECTION EIGHTY-EIGHT OF THE RAILROAD LAW.

3 (B) PERSONS IN THE MILITARY OR OTHER SERVICE OF THE UNITED STATES IN  
4 PURSUIT OF OFFICIAL DUTY OR WHEN DULY AUTHORIZED BY FEDERAL LAW, REGU-  
5 LATION OR ORDER TO POSSESS THE SAME.

6 4. A PERSON WHO KNOWINGLY VIOLATES ANY PROVISION OF THIS SECTION IS  
7 GUILTY OF A CLASS A MISDEMEANOR.

8 S 2. This act shall take effect on the first of November next succeed-  
9 ing the date on which it shall have become a law.