

3043

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 21, 2011

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Introduced by M. of A. PERRY, KAVANAGH -- Multi-Sponsored by -- M. of A.  
AUBRY, MAYERSOHN, PHEFFER, TOWNS -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law, in relation to requiring proof of liability insurance prior to the issuance of a license to carry a firearm

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

1     Section 1. Subdivision 1 of section 400.00 of penal law, as amended by  
2     chapter 189 of the laws of 2000, is amended to read as follows:  
3     1. Eligibility. No license shall be issued or renewed pursuant to this  
4     section except by the licensing officer, and then only after investigation and finding that all statements in a proper application for a  
5     license are true. No license shall be issued or renewed except for an  
6     applicant (a) twenty-one years of age or older, provided, however, that  
7     where such applicant has been honorably discharged from the United  
8     States army, navy, marine corps, air force or coast guard, or the  
9     national guard of the state of New York, no such age restriction shall  
10    apply; (b) of good moral character; (c) who has not been convicted  
11    anywhere of a felony or a serious offense; (d) who has stated whether he  
12    or she has ever suffered any mental illness or been confined to any  
13    hospital or institution, public or private, for mental illness; (e) who  
14    has not had a license revoked or who is not under a suspension or ineligibility order issued pursuant to the provisions of section 530.14 of  
15    the criminal procedure law or section eight hundred forty-two-a of the  
16    family court act; (f) in the county of Westchester, who has successfully  
17    completed a firearms safety course and test as evidenced by a certificate of completion issued in his or her name and endorsed and affirmed  
18    under the penalties of perjury by a duly authorized instructor, except  
19    that: (i) persons who are honorably discharged from the United States  
20    army, navy, marine corps or coast guard, or of the national guard of the  
21    state of New York, and produce evidence of official qualification in  
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EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 firearms during the term of service are not required to have completed  
2 those hours of a firearms safety course pertaining to the safe use,  
3 carrying, possession, maintenance and storage of a firearm; and (ii)  
4 persons who were licensed to possess a pistol or revolver prior to the  
5 effective date of this paragraph are not required to have completed a  
6 firearms safety course and test; [and] (g) WHO SUBMITS PROOF OF PERSONAL  
7 LIABILITY INSURANCE; AND (H) concerning whom no good cause exists for  
8 the denial of the license. No person shall engage in the business of  
9 gunsmith or dealer in firearms unless licensed pursuant to this section.  
10 An applicant to engage in such business shall also be a citizen of the  
11 United States, more than twenty-one years of age and maintain a place of  
12 business in the city or county where the license is issued. For such  
13 business, if the applicant is a firm or partnership, each member thereof  
14 shall comply with all of the requirements set forth in this subdivision  
15 and if the applicant is a corporation, each officer thereof shall so  
16 comply.

17 S 2. This act shall take effect on the first of November next succeed-  
18 ing the date on which it shall have become a law and shall apply to  
19 licenses issued or renewed on or after such date.