

6365

2011-2012 Regular Sessions

I N A S S E M B L Y

March 15, 2011

Introduced by M. of A. SIMOTAS -- read once and referred to the Committee on Codes

AN ACT to direct the division of criminal justice services to study, review and report, to the governor and the legislature, on the laws, rules and regulations relating to air rifles, air pistols and other non-powder guns

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that recent advances in technologies associated with air
3 rifles, air pistols and other non-powder guns have resulted in products
4 that are substantially different than those common in past decades.
5 Changes in materials and techniques used to produce non-powder weapons
6 and ammunition, and the development of guns using carbon dioxide cylinders and external supplies of compressed gas, have resulted in the emergence of air guns that can approach the velocity and force of weapons using gunpowder. The continued development of more powerful and accurate air guns makes it incumbent on the state of New York to reassess the adequacy of its laws, rules, regulations and policies to ensure that the public interest continues to be served.

13 S 2. (a) The division of criminal justice services shall examine, evaluate, review and make recommendations concerning:

15 (1) the current state of and anticipated developments in technologies associated with the design, production and use of air rifles, air pistols and other similar non-powder guns, including the ammunition and ancillary equipment therefor;

19 (2) the current state statutes, the current rules, regulations and policies of state agencies, and any significant laws, codes, ordinances, rules, regulations and policies of municipalities in the state relating to air rifles, air pistols and other similar non-powder guns, including ammunition and ancillary equipment therefor;

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

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1 (3) recent developments in statutes, rules, regulations and policies
2 in other jurisdictions; and

3 (4) the extent to which the statutes, rules, regulations and policies
4 reviewed pursuant to paragraph two of this subdivision serve the public
5 interest.

6 (b) In conducting its examination, evaluation, review and formation of
7 recommendations pursuant to subdivision (a) of this section, the divi-
8 sion of criminal justice services shall consult with the department of
9 environmental conservation, the division of state police, the office of
10 homeland security and other appropriate state and local agencies and
11 offices, and shall solicit and consider input from the public.

12 S 3. Within one year of the effective date of this act, the division
13 of criminal justice services shall make a report to the governor and the
14 legislature of its findings, conclusions and recommendations and shall,
15 with its report, submit such legislative proposals and options for
16 changes in rules, regulations and policies as it deems necessary to
17 implement its recommendations.

18 S 4. This act shall take effect immediately.