

6746

2011-2012 Regular Sessions

I N A S S E M B L Y

March 28, 2011

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

AN ACT to amend the criminal procedure law, in relation to establishing the safe homes act

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

1 Section 1. This act shall be known and may be cited as the "safe homes
2 act".
3 S 2. Section 140.10 of the criminal procedure law is amended by adding
4 a new subdivision 6 to read as follows:
5 6. WHEN RESPONDING TO A REPORT OF A FAMILY OFFENSE AS DEFINED IN
6 SECTION 530.11 OF THIS CHAPTER AND SECTION EIGHT HUNDRED TWELVE OF THE
7 FAMILY COURT ACT, A LAW ENFORCEMENT OFFICER SHALL DETERMINE WHETHER
8 THERE ARE FIREARMS ON THE PREMISES OWNED OR POSSESSED BY THE PERSON
9 ALLEGED TO HAVE COMMITTED SUCH FAMILY OFFENSES AND WHERE THE REPORT OF A
10 FAMILY OFFENSE RESULTS IN AN ARREST, THE LAW ENFORCEMENT OFFICER SHALL
11 SEIZE SUCH FIREARMS AND ANY LICENSE TO CARRY, POSSESS, REPAIR AND
12 DISPOSE OF FIREARMS HELD BY THE PERSON ARRESTED, UNTIL THE COURT RESPONS-
13 SIBLE FOR ADJUDICATING THE OFFENSE FOR WHICH THE PERSON WAS ARRESTED
14 AUTHORIZES THE RELEASE OF SUCH FIREARMS OR LICENSE.
15 S 3. This act shall take effect immediately.

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

LBD10190-03-1