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

2589

2011-2012 Regular Sessions

I N S E N A T E

January 26, 2011

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:

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

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

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

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

(A) PERSONS IN THE MILITARY SERVICE OF THE STATE OF NEW YORK WHEN DULY AUTHORIZED BY REGULATIONS ISSUED BY THE ADJUTANT GENERAL TO THE GOVERNOR TO POSSESS THE SAME, MEMBERS OF THE DIVISION OF STATE POLICE, AND PEACE OFFICERS AS DEFINED IN SUBDIVISION THIRTY-THREE OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW AND PERSONS APPOINTED AS RAILROAD POLICEMEN PURSUANT TO SECTION EIGHTY-EIGHT OF THE RAILROAD LAW.

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

LBD07283-01-1

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

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

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.