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

5188

2013-2014 Regular Sessions

I N S E N A T E

May 14, 2013

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to retired sworn members of the state police who have opted to make an application to obtain a license to carry or possess a firearm

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

Section 1. Paragraph 7-b of subdivision a of section 265.20 of the penal law, as amended by chapter 210 of the laws of 1999, is amended to read as follows:

7-b. Possession and use, at an indoor or outdoor pistol range located in or on premises owned or occupied by a duly incorporated organization organized for conservation purposes or to foster proficiency in small arms or at a target pistol shooting competition under the auspices of or approved by the national rifle association for the purpose of loading and firing the same, by a person who has applied for a license to possess a pistol or revolver and pre-license possession of same pursuant to section 400.00 or 400.01 of this chapter, who has not been previously denied a license, been previously convicted of a felony or serious offense, and who does not appear to be, or pose a threat to be, a danger to himself or to others, and who has been approved for possession and use herein in accordance with section 400.00 or 400.01 of this chapter; provided however, that such possession shall be of a pistol or revolver duly licensed to and shall be used under the supervision, guidance and instruction of, a person specified in paragraph seven of this subdivision and provided further that such possession and use be within the jurisdiction of the licensing officer with whom the person has made application therefor or within the jurisdiction of the superintendent of state police in the case of a retired sworn member of the division of state police who has [made] *OPTED TO MAKE* an application pursuant to section 400.01 of this chapter.

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

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S 2. Subdivisions 1 and 4 of section 400.01 of the penal law, as added by chapter 210 of the laws of 1999, is amended to read as follows:

1. A license to carry or possess a firearm for a retired sworn member of the division of state police shall be granted in the same manner and upon the same terms and conditions as licenses issued under section 400.00 of this article provided, however, that applications for such license [shall] MAY be made to, and the licensing officer [shall] MAY be, the superintendent of state police.

4. Except for the designation of the superintendent of state police as the licensing officer for retired sworn members of the division of state police WHO HAVE OPTED TO OBTAIN SUCH LICENSE UNDER THIS SECTION, all of the provisions and requirements of section 400.00 of this article and any other provision of law shall be applicable to individuals licensed pursuant to this section. In addition all provisions of section 400.00 of this article, except for the designation of the superintendent of state police as licensing officer are hereby deemed applicable to individuals licensed pursuant to this section.

S 3. This act shall take effect immediately.