

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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

AN ACT to amend the general business law, in relation to requiring a national instant criminal background check to be conducted on each person purchasing ammunition

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

1 Section 1. The general business law is amended by adding a new article
2 38-B to read as follows:

3 ARTICLE 38-B

4 SALE OF AMMUNITION

5 SECTION 825. SALE OF AMMUNITION.

6 S 825. SALE OF AMMUNITION. 1. PRIOR TO THE SALE OR TRANSFER, AT
7 RETAIL, OF ANY QUANTITY OF AMMUNITION TO AN INDIVIDUAL, THE RETAIL DEAL-
8 ER OF SUCH INDIVIDUAL SHALL CAUSE A NATIONAL INSTANT CRIMINAL BACKGROUND
9 CHECK TO BE CONDUCTED UPON SUCH PERSON IN ACCORDANCE WITH 18 U.S.C. S
10 922.

11 2. UPON THE SALE OR TRANSFER OF ANY QUANTITY OF AMMUNITION, AT RETAIL,
12 THE RETAIL DEALER SHALL RECORD THE NAME, ADDRESS, DATE OF BIRTH AND
13 TELEPHONE NUMBER OF THE PURCHASER, AND THE QUANTITY, BRAND, TYPE AND
14 CALIBER OR GAUGE OF THE AMMUNITION PURCHASED OR TRANSFERRED. WITHIN
15 THREE DAYS OF EACH PURCHASE OR TRANSFER OF SUCH AMMUNITION, THE RETAIL
16 DEALER SHALL FORWARD A COPY OF SUCH INFORMATION TO THE DIVISION OF CRIM-
17 INAL JUSTICE SERVICES. SUCH DEALER SHALL MAINTAIN SUCH RECORDS UPON THE
18 PREMISES OF THE BUSINESS FOR A PERIOD OF NOT LESS THAN SEVEN YEARS.

19 3. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE
20 GUILTY OF A CLASS A MISDEMEANOR.

21 S 2. This act shall take effect on the first of January next succeed-
22 ing the date on which it shall have become a law.

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

LBD00311-01-3