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

10417

I N A S S E M B L Y

May 26, 2016

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

AN ACT to amend the penal law, in relation to possession of pistols and revolvers being offered for sale upon the premises of a dealer in firearms

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

Section 1. Section 265.20 of the penal law is amended by adding a new subdivision f to read as follows:

F. 1. EXCEPT IN CITIES NOT WHOLLY CONTAINED WITHIN A SINGLE COUNTY SUBDIVISION ONE OF SECTION 265.01 AND SUBDIVISION ONE OF SECTION 265.01-B OF THIS ARTICLE SHALL NOT APPLY TO THE POSSESSION OF AN UNLOADED PISTOL OR REVOLVER UPON THE PREMISES OF A DEALER IN FIREARMS WHO IS LAWFULLY ENGAGED IN THE SALE OR OFFERING FOR SALE OF SUCH PISTOL OR REVOLVER BY A PERSON WHO IS:

(A) TWENTY-ONE YEARS OF AGE OR OLDER, AND NOT OTHERWISE PROHIBITED FROM POSSESSING A FIREARM; OR

(B) EIGHTEEN YEARS OF AGE OR OLDER HAVING BEEN HONORABLY DISCHARGED FROM THE UNITED STATES ARMY, NAVY, MARINE CORPS, AIR FORCE OR COAST GUARD, OR FROM ACTIVE SERVICE IN A FORCE OF THE ORGANIZED MILITIA OF THE STATE, AS DEFINED IN SECTION ONE OF THE MILITARY LAW, AS EVINCED BY A DD-214 OR OTHER SIMILAR PROOF OF MILITARY SERVICE.

2. POSSESSION OF AN UNLOADED PISTOL OR REVOLVER SHALL ONLY BE GRANTED BY A DEALER IN FIREARMS, OR HIS OR HER AGENT, UPON PRESENTATION OF SUITABLE PHOTOGRAPH IDENTIFICATION AND PROOF OF AGE. THE DEALER OR HIS OR HER AGENT SHALL MAINTAIN CUSTODY OF SUCH IDENTIFICATION AND PROOF OF AGE WHILE THE PERSON, WHO IS NOT AUTHORIZED TO POSSESS A PISTOL OR REVOLVER PURSUANT TO SUBDIVISION A OF THIS SECTION, HAS POSSESSION OF THE UNLOADED PISTOL OR REVOLVER UPON THE DEALER'S PREMISES.

S 2. This act shall take effect immediately.

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

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