

6524

2015-2016 Regular Sessions

I N A S S E M B L Y

March 26, 2015

Introduced by M. of A. BLANKENBUSH, KOLB, BARCLAY, BUTLER, HAWLEY, OAKS
-- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to pistol permit applications
for military personnel

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

1 Section 1. Subdivision 4-a of section 400.00 of the penal law, as
2 added by chapter 233 of the laws of 1980, is amended to read as follows:
3 4-a. Processing of license applications. Applications for licenses
4 shall be accepted for processing by the licensing officer at the time of
5 presentment. Except upon written notice to the applicant specifically
6 stating the reasons for any delay, in each case the licensing officer
7 shall act upon any application for a license pursuant to this section
8 within six months of the date of presentment of such an application to
9 the appropriate authority. Such delay may only be for good cause and
10 with respect to the applicant. In acting upon an application, the
11 licensing officer shall either deny the application for reasons specifically and concisely stated in writing or grant the application and
12 issue the license applied for. HOWEVER, AN APPLICATION FOR A LICENSE
13 PURSUANT TO THIS SECTION FOR ANY MEMBER OF AN ACTIVE OR RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES SHALL BE ACTED UPON BY THE
14 LICENSING OFFICER WITHIN NINETY DAYS OF THE DATE OF PRESENTMENT OF SUCH
15 AN APPLICATION TO THE APPROPRIATE AUTHORITY.

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18 S 2. The penal law is amended by adding a new section 400.15 to read
19 as follows:

20 S 400.15 RECIPROCITY FOR QUALIFIED MILITARY PERSONNEL.

21 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, ANY
22 MEMBER OF AN ACTIVE OR RESERVE COMPONENT OF THE ARMED FORCES OF THE
23 UNITED STATES WHO IS DULY LICENSED TO CARRY A PISTOL OR FIREARM BY
24 ANOTHER JURISDICTION WITHIN THE UNITED STATES SHALL BE ALLOWED TO CARRY
25 SUCH PISTOL OR FIREARM WITHIN NEW YORK STATE FOR A PERIOD OF TIME NOT TO

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

LBD10152-01-5

1 EXCEED NINETY DAYS, AND FOR THE PERIOD OF TIME AN APPLICATION IS PENDING
2 UNDER SECTION FOUR HUNDRED OF THIS ARTICLE.
3 2. PERSONS CARRYING A FIREARM UNDER THE PROVISIONS OF THIS SECTION
4 SHALL BE REQUIRED TO: (A) CARRY THE OUT-OF-STATE PERMIT TOGETHER WITH
5 VALID IDENTIFICATION WHENEVER THE PERSON IS CARRYING THE PISTOL OR
6 FIREARM AND (B) DISCLOSE TO ANY LAW ENFORCEMENT OFFICER THAT THE PERSON
7 HOLDS A VALID PERMIT AND IS CARRYING A PISTOL OR FIREARM WHEN APPROACHED
8 OR ADDRESSED BY THE OFFICER, AND SHALL DISPLAY BOTH THE PERMIT AND THE
9 PROPER IDENTIFICATION UPON THE REQUEST OF A LAW ENFORCEMENT OFFICER.
10 S 3. This act shall take effect on the sixtieth day after it shall
11 have become law.