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

8324

2015-2016 Regular Sessions

I N A S S E M B L Y

August 5, 2015

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to prohibiting cases and covers for wireless communications devices which are imitation weapons

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

Section 1. Subdivision 2 of section 871 of the general business law, as added by chapter 475 of the laws of 1988, is amended and a new subdivision 3 is added to read as follows:

2. "Imitation weapon" means any device or object, INCLUDING, BUT NOT LIMITED TO, ANY CASE OR COVER FOR A WIRELESS COMMUNICATION DEVICE, made of plastic, wood, metal or any other material which substantially duplicates or can reasonably be perceived to be an actual firearm, air rifle, pellet gun, or "B-B" gun; unless such imitation weapon (a) is colored other than black, blue, silver or aluminum, (b) is marked with a non-removable orange stripe which is at least one inch in width and runs the entire length of the barrel on each side and the front end of the barrel, and (c) has a barrel at least one inch in diameter that is closed for a distance of not less than one-half inch from the front-end of its barrel with the same material of which the imitation weapon is made. "Imitation weapon" does not include any nonfiring replica of an antique firearm, the original of which was designed, manufactured and produced prior to eighteen hundred ninety-eight.

3. "WIRELESS COMMUNICATIONS DEVICE" MEANS A WIRELESS COMMUNICATIONS DEVICE AS DEFINED IN SUBDIVISION NINE OF SECTION THREE HUNDRED ONE OF THE COUNTY LAW.

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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