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

6602

I N S E N A T E

January 29, 2016

Introduced by Sen. GOLDEN -- 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 large capacity ammunition feeding devices

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

Section 1. Subdivision e of section 265.20 of the penal law, as added by chapter 98 of the laws of 2013, is amended to read as follows:

e. Subdivision eight of section 265.02 and sections 265.36 and 265.37 of this chapter shall not apply to a qualified retired New York or federal law enforcement officer as defined in subdivision twenty-five of section 265.00 of this article, with respect to large capacity ammunition feeding devices issued to such officer or purchased by such officer in the course of his or her official duties and owned by such officer at the time of his or her retirement or comparable replacements for such devices, if: (i) the agency that employed the officer qualified such officer in the use of the weapon which accepts such device in accordance with applicable state or federal standards for active duty law enforcement officers within twelve months prior to his or her retirement; and (ii) such retired officer meets, at his or her own expense, such applicable standards for such weapon at least once within three years after his or her retirement date and at least once every three years thereafter, provided, however, that any such qualified officer who has been retired for eighteen months or more on the effective date of this subdivision shall have eighteen months from such effective date to qualify in the use of the weapon which accepts such large capacity ammunition feeding device according to the provisions of this subdivision, notwithstanding that such officer did not qualify within three years after his or her retirement date, provided that such officer is otherwise qualified and maintains compliance with the provisions of this subdivision. FOR PURPOSES OF THIS SUBDIVISION, A COMPARABLE REPLACEMENT SHALL INCLUDE A LARGE CAPACITY AMMUNITION FEEDING DEVICE THAT IS CAPABLE OF HOLDING UP TO SIXTEEN ROUNDS.

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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