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

6843

I N S E N A T E

February 29, 2016

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to limiting the acquisition of a rifle or shotgun to one per ninety-day period

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

Section 1. Legislative findings. The legislature hereby finds and declares that although many illegal guns are obtained outside of New York state, existing laws governing gun sellers should be strengthened to prevent the diversion of guns to the illegal marketplace. The legislature finds that it is imperative that additional protections be implemented to ensure that New York state continues to lead the way in preventing gun violence.

S 2. Subdivision 6 of section 898 of the general business law, as added by chapter 1 of the laws of 2013, is amended to read as follows:

6. A. NO DEALER IN RIFLES AND SHOTGUNS SHALL: (I) SELL MORE THAN ONE RIFLE OR SHOTGUN TO ANY INDIVIDUAL AS PART OF THE SAME SALES TRANSACTION; OR (II) SELL A RIFLE OR SHOTGUN TO ANY INDIVIDUAL IF THE DEALER KNOWS OR SHOULD KNOW THAT SUCH INDIVIDUAL HAS PURCHASED A FIREARM, RIFLE OR SHOTGUN WITHIN THE PRIOR NINETY DAYS.

B. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO THE SALE OF FIREARMS, RIFLES OR SHOTGUNS TO A POLICE OFFICER, AS SUCH TERM IS DEFINED IN SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, OR TO A FEDERAL LAW ENFORCEMENT OFFICER, AS SUCH TERM IS DEFINED IN SECTION 2.15 OF THE CRIMINAL PROCEDURE LAW, OR TO A PUBLIC AGENCY IN FURTHERANCE OF OFFICIAL BUSINESS.

7. Any person who knowingly violates the provisions of this article shall be guilty of a class A misdemeanor punishable as provided for in the penal law.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided however, that effective immediately, the addition, amendment, or repeal of any rule or regulation necessary for the implementation of this act shall be made and completed on or before such effective date.

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

LBD13503-01-6