

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:

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

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

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

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

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

24 S 3. This act shall take effect on the one hundred eightieth day after
25 it shall have become a law; provided however, that effective immediate-
26 ly, the addition, amendment, or repeal of any rule or regulation neces-
27 sary for the implementation of this act shall be made and completed on
28 or before such effective date.

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

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