

STATE OF NEW YORK

201

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sens. MARCHIONE, FUNKE -- 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 the definition of assault
weapon

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Paragraphs (a) and (b) of subdivision 22 of section 265.00
2 of the penal law, as added by chapter 1 of the laws of 2013, are amended
3 to read as follows:
4 (a) a semiautomatic rifle that has an ability to accept a detachable
5 magazine and has at least one of the following characteristics:
6 (i) a folding or telescoping stock;
7 (ii) a pistol grip that protrudes conspicuously beneath the action of
8 the weapon;
9 (iii) [~~a thumbhole stock,~~
10 ~~(iv)~~] a second handgrip or a protruding grip that can be held by the
11 non-trigger hand;
12 [~~(v)~~] (iv) a bayonet mount;
13 [~~(vi)~~] (v) a flash suppressor, muzzle break, muzzle compensator, or
14 threaded barrel designed to accommodate a flash suppressor, muzzle
15 break, or muzzle compensator;
16 [~~(vii)~~] (vi) a grenade launcher; or
17 (b) a semiautomatic shotgun that has at least one of the following
18 characteristics:
19 (i) a folding or telescoping stock;
20 (ii) [~~a thumbhole stock,~~
21 ~~(iii)~~] a second handgrip or a protruding grip that can be held by the
22 non-trigger hand;
23 [~~(iv)~~] (iii) a fixed magazine capacity in excess of seven rounds;
24 [~~(v)~~] (iv) an ability to accept a detachable magazine; or
25 § 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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