STATE OF NEW YORK

6859

2017-2018 Regular Sessions

IN SENATE

August 30, 2017

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to applications to carry or possess a pistol or revolver by applicants of certain recognized religious sects

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

Section 1. Section 400.00 of the penal law is amended by adding a new subdivision 3-a to read as follows:

3-a. Photograph exemption. (a) Notwithstanding the provisions of paragraph (a) of subdivision three of this section, any applicant for a license to carry or possess a pistol or revolver who is a member of a recognized religious sect, which embraces a long-standing commitment of non-involvement in the matters of established government practices and is conscientiously opposed to the willing submission of a photograph due to the tenets of such sect, may file an application with the licensing officer for an exemption from submitting or filing any photograph or photographic image in connection with an application for such license.

(b) The application for an exemption pursuant to this subdivision shall include a written affidavit by the applicant that he or she is a member of an organized religious sect that embraces a long-standing commitment of non-involvement in the matters of established government practices and is conscientiously opposed to the willing submission of a photograph or photographic image.

(c) An application for exemption submitted pursuant to this subdivision shall be granted by the licensing officer if he or she finds that:

(1) the applicant is a member of a recognized religious sect the tenets referred to in paragraphs (a) and (b) of this subdivision; and

(2) it has been the practice, for a substantial number of years, for members of such sect to abstain from the submission of photographs or photographic images.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

LBD13415-01-7