

# STATE OF NEW YORK

9145

## IN SENATE

August 1, 2018

Introduced by Sens. HOYLMAN, PARKER, KAMINSKY, KENNEDY -- 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 the manufacture, assembly, possession, license and disposal of ghost guns, the establishment of the offense of unlawful dissemination of instructions for the assembly of a weapon and the sentencing for certain offenses regarding ghost guns; to amend the general business law, in relation to the suspension and revocation of certain licenses or registrations; to amend the criminal procedure law, in relation to adding the offense of unlawful dissemination of instructions for the assembly of a weapon to the list of designated offenses for the purpose of obtaining eavesdropping and video surveillance warrants; and to amend the administrative code of the city of New York, in relation to including the offense of unlawful dissemination of instructions for the assembly of a weapon in the definition of violent or serious crime

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

1 Section 1. Section 265.00 of the penal law is amended by adding four  
2 new subdivisions 26, 27, 28 and 29 to read as follows:

3 26. "Major component" means, in the case of a firearm, rifle or shot-  
4 gun the slide or cylinder, or the frame or receiver, and, in the case of  
5 a shotgun, the barrel.

6 27. "Additive manufacturing" means a manufacturing process in which  
7 material is added in order to produce the product, including but not  
8 limited to three-dimensional printing in which layers of material are  
9 laid down in succession.

10 28. "Unfinished firearm frame or receiver" means a piece of any mate-  
11 rial that does not constitute the frame or receiver of a firearm, rifle  
12 or shotgun but that has been shaped or formed in any way for the purpose  
13 of becoming the frame or receiver of a firearm, rifle or shotgun. The  
14 term shall not include a piece of material that has had its size or  
15 external shape altered to facilitate transportation or storage or has  
16 had its chemical composition altered.

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

LBD16438-01-8

1 29. "Ghost gun" means a firearm, rifle or shotgun that is:  
2 (a) manufactured using additive manufacturing; or  
3 (b) assembled from a frame or receiver that was marketed and/or sold  
4 (either separately or as part of a kit) as an unfinished firearm frame  
5 or receiver that the recipient could use to assemble a firearm, rifle or  
6 shotgun.

7 § 2. Subdivision 10 of section 265.02 of the penal law, as added by  
8 chapter 1 of the laws of 2013, is amended and two new subdivisions 11  
9 and 12 are added to read as follows:

10 (10) Such person possesses an unloaded firearm and also commits any  
11 violent felony offense as defined in subdivision one of section 70.02 of  
12 this chapter as part of the same criminal transaction[]; or

13 (11) Such person, if not a gunsmith or dealer duly licensed pursuant  
14 to section 400.00 of this chapter, possesses a ghost gun that has not  
15 been registered with a licensing officer and engraved or permanently  
16 affixed with a serial number as provided in subdivision ten of section  
17 265.10 of this article; or

18 (12) Such person possesses a firearm, rifle or shotgun manufactured or  
19 assembled as a ghost gun that does not comply with the provisions of  
20 subdivision nine of section 265.10 of this article.

21 § 3. Section 265.10 of the penal law is amended by adding three new  
22 subdivisions 8, 9 and 10 to read as follows:

23 8. Any person, other than a gunsmith duly licensed pursuant to section  
24 400.00 of this chapter, who assembles, manufactures, or causes to be  
25 assembled or manufactured, a firearm, rifle or shotgun is guilty of a  
26 class C felony.

27 9. For all firearms, rifles and shotguns manufactured, assembled, or  
28 caused to be manufactured or assembled, sold, exchanged, disposed of or  
29 possessed: (a) each major component must be detectable by a metal  
30 detector calibrated to detect 3.7 ounces of type 17-4 PH stainless  
31 steel; and (b) each major component, if subject to the types of  
32 detection devices commonly used at airports for security screening, must  
33 generate an image that adequately depicts the shape of the component.  
34 Any gunsmith who fails to comply with this subdivision shall be guilty  
35 of a class C felony.

36 10. All ghost guns manufactured, assembled, or caused to be manufac-  
37 tured or assembled by a gunsmith shall be registered with the licensing  
38 officer in the city or county where the gunsmith is located. Such  
39 licensing officer, in consultation with the division of state police,  
40 shall issue a unique serial number for each firearm, rifle or shotgun so  
41 registered. For each such ghost gun, records reflecting the identity of  
42 the manufacturing or assembling gunsmith and the serial number of the  
43 ghost gun shall be included in the statewide license and record database  
44 established pursuant to section 400.02 of this chapter. The manufactur-  
45 ing or assembling gunsmith shall engrave or permanently affix the serial  
46 number to the firearm, rifle or shotgun in a manner that meets or  
47 exceeds the requirements imposed on licensed importers and licensed  
48 manufacturers of shotguns pursuant to subsection (i) of Section 923 of  
49 Title 18 of the United States Code and regulations issued pursuant ther-  
50 eto. Any gunsmith who fails to comply with this subdivision shall be  
51 guilty of a class C felony.

52 § 4. Section 265.11 of the penal law, as amended by chapter 764 of the  
53 laws of 2005, is amended to read as follows:

54 § 265.11 Criminal sale of a firearm in the third degree.

55 A person is guilty of criminal sale of a firearm in the third degree  
56 when:

1 (1) such person is not authorized pursuant to law to possess a firearm  
2 and such person unlawfully either:

3 [~~1~~] (a) sells, exchanges, gives or disposes of a firearm or large  
4 capacity ammunition feeding device to another person; or

5 [~~2~~] (b) possesses a firearm with the intent to sell it[-];

6 (2) such person is not a gunsmith or dealer duly licensed pursuant to  
7 section 400.00 of this chapter and such person sells, exchanges, gives  
8 or disposes of a firearm, rifle or shotgun manufactured or assembled as  
9 a ghost gun, unless such sale, exchange, gift or disposal is in compli-  
10 ance with all requirements under state and federal law relating to the  
11 sale, exchange, gift or disposal of firearms, rifles and shotguns and:

12 (a) the recipient holds a federal firearms license issued pursuant to  
13 Section 923 of Title 18 of the United States Code;

14 (b) the recipient is a peace officer, as described in section 2.10 of  
15 the criminal procedure law;

16 (c) the recipient is a federal law enforcement officer, as described  
17 in section 2.15 of the criminal procedure law; or

18 (d) the sale, exchange, gift, or disposal is between members of an  
19 immediate family, as defined in section eight hundred ninety-eight of  
20 the general business law; or

21 (3) such person sells, exchanges, gives or disposes of an unfinished  
22 firearm frame or receiver, unless:

23 (a) the recipient is a gunsmith duly licensed pursuant to section  
24 400.00 of this chapter;

25 (b) the recipient is a peace officer, as described in section 2.10 of  
26 the criminal procedure law; or

27 (c) the recipient is a federal law enforcement officer, as described  
28 in section 2.15 of the criminal procedure law.

29 Criminal sale of a firearm in the third degree is a class D felony.

30 § 5. Section 265.12 of the penal law, as amended by chapter 764 of the  
31 laws of 2005, is amended to read as follows:

32 § 265.12 Criminal sale of a firearm in the second degree.

33 A person is guilty of criminal sale of a firearm in the second degree  
34 when such person:

35 (1) unlawfully sells, exchanges, gives or disposes of to another five  
36 or more firearms; [~~ex~~]

37 (2) unlawfully sells, exchanges, gives or disposes of to another  
38 person or persons a total of five or more firearms in a period of not  
39 more than one year[-];

40 (3) being a gunsmith or dealer duly licensed pursuant to section  
41 400.00 of this chapter, sells, exchanges, gives or disposes of a ghost  
42 gun that has not been registered with a licensing officer and engraved  
43 or permanently affixed with a serial number as provided in subdivision  
44 ten of section 265.10 of this article; or

45 (4) being a gunsmith or dealer duly licensed pursuant to section  
46 400.00 of this chapter, sells, exchanges, gives or disposes of a  
47 firearm, rifle or shotgun manufactured or assembled as a ghost gun that  
48 does not comply with the provisions of subdivision nine or ten of  
49 section 265.10 of this article.

50 Criminal sale of a firearm in the second degree is a class C felony.

51 § 6. The penal law is amended by adding a new section 265.38 to read  
52 as follows:

53 § 265.38 Unlawful dissemination of instructions for the assembly of a  
54 weapon.

55 It shall be unlawful for any person to intentionally publish, over the  
56 internet or by means of the world wide web, digital instructions in the

1 form of computer aided design files or other code that can automatically  
2 program a three-dimensional printer or similar device to produce a  
3 firearm, rifle or shotgun.

4 Unlawful dissemination of instructions for the assembly of a weapon is  
5 a class D felony.

6 § 7. Paragraph (c) of subdivision 1, paragraph (b) and the opening  
7 paragraph of paragraph (c) of subdivision 2 of section 70.02 of the  
8 penal law, paragraph (c) of subdivision 1 as amended by chapter 368 of  
9 the laws of 2015, paragraph (b) of subdivision 2 as amended by section  
10 122 of subpart B of part C of chapter 62 of the laws of 2011, and the  
11 opening paragraph of paragraph (c) of subdivision 2 as amended by chap-  
12 ter 1 of the laws of 2013, are amended to read as follows:

13 (c) Class D violent felony offenses: an attempt to commit any of the  
14 class C felonies set forth in paragraph (b); reckless assault of a child  
15 as defined in section 120.02, assault in the second degree as defined in  
16 section 120.05, menacing a police officer or peace officer as defined in  
17 section 120.18, stalking in the first degree, as defined in subdivision  
18 one of section 120.60, strangulation in the second degree as defined in  
19 section 121.12, rape in the second degree as defined in section 130.30,  
20 criminal sexual act in the second degree as defined in section 130.45,  
21 sexual abuse in the first degree as defined in section 130.65, course of  
22 sexual conduct against a child in the second degree as defined in  
23 section 130.80, aggravated sexual abuse in the third degree as defined  
24 in section 130.66, facilitating a sex offense with a controlled  
25 substance as defined in section 130.90, labor trafficking as defined in  
26 paragraphs (a) and (b) of subdivision three of section 135.35, criminal  
27 possession of a weapon in the third degree as defined in subdivision  
28 five, six, seven, eight, nine or ten of section 265.02, criminal sale of  
29 a firearm in the third degree as defined in section 265.11, unlawful  
30 dissemination of instructions for the assembly of a weapon as defined in  
31 section 265.38, intimidating a victim or witness in the second degree as  
32 defined in section 215.16, soliciting or providing support for an act of  
33 terrorism in the second degree as defined in section 490.10, and making  
34 a terroristic threat as defined in section 490.20, falsely reporting an  
35 incident in the first degree as defined in section 240.60, placing a  
36 false bomb or hazardous substance in the first degree as defined in  
37 section 240.62, placing a false bomb or hazardous substance in a sports  
38 stadium or arena, mass transportation facility or enclosed shopping mall  
39 as defined in section 240.63, and aggravated unpermitted use of indoor  
40 pyrotechnics in the first degree as defined in section 405.18.

41 (b) Except as provided in paragraph (b-1) of this subdivision, subdivi-  
42 sion six of section 60.05 and subdivision four of this section, the  
43 sentence imposed upon a person who stands convicted of a class D violent  
44 felony offense, other than the offense of criminal possession of a weap-  
45 on in the third degree as defined in subdivision five, seven or eight of  
46 section 265.02 [~~or~~], criminal sale of a firearm in the third degree as  
47 defined in section 265.11 or unlawful dissemination of instructions for  
48 the assembly of a weapon as defined in section 265.38, must be in  
49 accordance with the applicable provisions of this chapter relating to  
50 sentencing for class D felonies provided, however, that where a sentence  
51 of imprisonment is imposed which requires a commitment to the state  
52 department of corrections and community supervision, such sentence shall  
53 be a determinate sentence in accordance with paragraph (c) of subdivi-  
54 sion three of this section.

55 Except as provided in subdivision six of section 60.05, the sentence  
56 imposed upon a person who stands convicted of the class D violent felony

1 offenses of criminal possession of a weapon in the third degree as  
2 defined in subdivision five, seven, eight or nine of section 265.02,  
3 criminal sale of a firearm in the third degree as defined in section  
4 265.11, unlawful dissemination of instructions for the assembly of a  
5 weapon as defined in section 265.38 or the class E violent felonies of  
6 attempted criminal possession of a weapon in the third degree as defined  
7 in subdivision five, seven, eight or nine of section 265.02 must be a  
8 sentence to a determinate period of imprisonment, or, in the alterna-  
9 tive, a definite sentence of imprisonment for a period of no less than  
10 one year, except that:

11 § 8. Paragraph (a) of subdivision 1 of section 460.10 of the penal  
12 law, as amended by chapter 368 of the laws of 2015, is amended to read  
13 as follows:

14 (a) Any of the felonies set forth in this chapter: sections 120.05,  
15 120.10 and 120.11 relating to assault; sections 121.12 and 121.13 relat-  
16 ing to strangulation; sections 125.10 to 125.27 relating to homicide;  
17 sections 130.25, 130.30 and 130.35 relating to rape; sections 135.20 and  
18 135.25 relating to kidnapping; sections 135.35 and 135.37 relating to  
19 labor trafficking; section 135.65 relating to coercion; sections 140.20,  
20 140.25 and 140.30 relating to burglary; sections 145.05, 145.10 and  
21 145.12 relating to criminal mischief; article one hundred fifty relating  
22 to arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand  
23 larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health  
24 care fraud; article one hundred sixty relating to robbery; sections  
25 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of  
26 stolen property; sections 165.72 and 165.73 relating to trademark coun-  
27 terfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and  
28 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and  
29 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and  
30 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating  
31 to criminal diversion of prescription medications and prescriptions;  
32 sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03,  
33 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56,  
34 215.00, 215.05 and 215.19; sections 187.10, 187.15, 187.20 and 187.25  
35 relating to residential mortgage fraud, sections 190.40 and 190.42  
36 relating to criminal usury; section 190.65 relating to schemes to  
37 defraud; any felony defined in article four hundred ninety-six; sections  
38 205.60 and 205.65 relating to hindering prosecution; sections 210.10,  
39 210.15, and 215.51 relating to perjury and contempt; section 215.40  
40 relating to tampering with physical evidence; sections 220.06, 220.09,  
41 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, 220.43, 220.46,  
42 220.55, 220.60, 220.65 and 220.77 relating to controlled substances;  
43 sections 225.10 and 225.20 relating to gambling; sections 230.25,  
44 230.30, and 230.32 relating to promoting prostitution; section 230.34  
45 relating to sex trafficking; sections 235.06, 235.07, 235.21 and 235.22  
46 relating to obscenity; sections 263.10 and 263.15 relating to promoting  
47 a sexual performance by a child; sections 265.02, 265.03, 265.04,  
48 265.11, 265.12, 265.13 and the provisions of section 265.10 which  
49 constitute a felony relating to firearms and other dangerous weapons;  
50 sections 265.14 and 265.16 relating to criminal sale of a firearm;  
51 section 265.38 relating to unlawful dissemination of instructions for  
52 the assembly of a weapon; section 275.10, 275.20, 275.30, or 275.40  
53 relating to unauthorized recordings; and sections 470.05, 470.10, 470.15  
54 and 470.20 relating to money laundering; or

1 § 9. Paragraph f of subdivision 1 of section 410 of the general busi-  
2 ness law, as amended by chapter 80 of the laws of 2015, is amended to  
3 read as follows:

4 f. Conviction of any of the following crimes subsequent to the issu-  
5 ance of a license or registration pursuant to this article: fraud pursu-  
6 ant to sections 170.10, 170.15, 176.15, 176.20, 176.25, 176.30 and  
7 190.65; falsifying business records pursuant to section 175.10; grand  
8 larceny pursuant to article 155; bribery pursuant to sections 180.03,  
9 180.08, 180.15, 180.25, 200.00, 200.03, 200.04, 200.10, 200.11, 200.12,  
10 200.45, 200.50; perjury pursuant to sections 210.10, 210.15, 210.40;  
11 assault pursuant to sections 120.05, 120.10, 120.11, 120.12; robbery  
12 pursuant to article 160; homicide pursuant to sections 125.25 and  
13 125.27; manslaughter pursuant to sections 125.15 and 125.20; kidnapping  
14 and unlawful imprisonment pursuant to sections 135.10, 135.20 and  
15 135.25; unlawful weapons possession pursuant to sections 265.02, 265.03  
16 and 265.04; criminal use of a weapon pursuant to sections 265.08 and  
17 265.09; criminal sale of a weapon pursuant to sections 265.11 and  
18 265.12; unlawful dissemination of instructions for the assembly of a  
19 weapon as defined in section 265.38; compelling prostitution pursuant to  
20 section 230.33; sex trafficking pursuant to section 230.34; and sex  
21 offenses pursuant to article 130 of the penal law. Provided, however,  
22 that for the purposes of this article, none of the following shall be  
23 considered criminal convictions or reported as such: (i) a conviction  
24 for which an executive pardon has been issued pursuant to the executive  
25 law; (ii) a conviction which has been vacated and replaced by a youthful  
26 offender finding pursuant to article seven hundred twenty of the crimi-  
27 nal procedure law, or the applicable provisions of law of any other  
28 jurisdiction; or (iii) a conviction the records of which have been  
29 expunged or sealed pursuant to the applicable provisions of the laws of  
30 this state or of any other jurisdiction; and (iv) a conviction for which  
31 other evidence of successful rehabilitation to remove the disability has  
32 been issued.

33 § 10. Paragraph (b) of subdivision 8 of section 700.05 of the criminal  
34 procedure law, as amended by chapter 368 of the laws of 2015, is amended  
35 to read as follows:

36 (b) Any of the following felonies: assault in the second degree as  
37 defined in section 120.05 of the penal law, assault in the first degree  
38 as defined in section 120.10 of the penal law, reckless endangerment in  
39 the first degree as defined in section 120.25 of the penal law, promot-  
40 ing a suicide attempt as defined in section 120.30 of the penal law,  
41 strangulation in the second degree as defined in section 121.12 of the  
42 penal law, strangulation in the first degree as defined in section  
43 121.13 of the penal law, criminally negligent homicide as defined in  
44 section 125.10 of the penal law, manslaughter in the second degree as  
45 defined in section 125.15 of the penal law, manslaughter in the first  
46 degree as defined in section 125.20 of the penal law, murder in the  
47 second degree as defined in section 125.25 of the penal law, murder in  
48 the first degree as defined in section 125.27 of the penal law, abortion  
49 in the second degree as defined in section 125.40 of the penal law,  
50 abortion in the first degree as defined in section 125.45 of the penal  
51 law, rape in the third degree as defined in section 130.25 of the penal  
52 law, rape in the second degree as defined in section 130.30 of the penal  
53 law, rape in the first degree as defined in section 130.35 of the penal  
54 law, criminal sexual act in the third degree as defined in section  
55 130.40 of the penal law, criminal sexual act in the second degree as  
56 defined in section 130.45 of the penal law, criminal sexual act in the

1 first degree as defined in section 130.50 of the penal law, sexual abuse  
2 in the first degree as defined in section 130.65 of the penal law,  
3 unlawful imprisonment in the first degree as defined in section 135.10  
4 of the penal law, kidnapping in the second degree as defined in section  
5 135.20 of the penal law, kidnapping in the first degree as defined in  
6 section 135.25 of the penal law, labor trafficking as defined in section  
7 135.35 of the penal law, aggravated labor trafficking as defined in  
8 section 135.37 of the penal law, custodial interference in the first  
9 degree as defined in section 135.50 of the penal law, coercion in the  
10 first degree as defined in section 135.65 of the penal law, criminal  
11 trespass in the first degree as defined in section 140.17 of the penal  
12 law, burglary in the third degree as defined in section 140.20 of the  
13 penal law, burglary in the second degree as defined in section 140.25 of  
14 the penal law, burglary in the first degree as defined in section 140.30  
15 of the penal law, criminal mischief in the third degree as defined in  
16 section 145.05 of the penal law, criminal mischief in the second degree  
17 as defined in section 145.10 of the penal law, criminal mischief in the  
18 first degree as defined in section 145.12 of the penal law, criminal  
19 tampering in the first degree as defined in section 145.20 of the penal  
20 law, arson in the fourth degree as defined in section 150.05 of the  
21 penal law, arson in the third degree as defined in section 150.10 of the  
22 penal law, arson in the second degree as defined in section 150.15 of  
23 the penal law, arson in the first degree as defined in section 150.20 of  
24 the penal law, grand larceny in the fourth degree as defined in section  
25 155.30 of the penal law, grand larceny in the third degree as defined in  
26 section 155.35 of the penal law, grand larceny in the second degree as  
27 defined in section 155.40 of the penal law, grand larceny in the first  
28 degree as defined in section 155.42 of the penal law, health care fraud  
29 in the fourth degree as defined in section 177.10 of the penal law,  
30 health care fraud in the third degree as defined in section 177.15 of  
31 the penal law, health care fraud in the second degree as defined in  
32 section 177.20 of the penal law, health care fraud in the first degree  
33 as defined in section 177.25 of the penal law, robbery in the third  
34 degree as defined in section 160.05 of the penal law, robbery in the  
35 second degree as defined in section 160.10 of the penal law, robbery in  
36 the first degree as defined in section 160.15 of the penal law, unlawful  
37 use of secret scientific material as defined in section 165.07 of the  
38 penal law, criminal possession of stolen property in the fourth degree  
39 as defined in section 165.45 of the penal law, criminal possession of  
40 stolen property in the third degree as defined in section 165.50 of the  
41 penal law, criminal possession of stolen property in the second degree  
42 as defined by section 165.52 of the penal law, criminal possession of  
43 stolen property in the first degree as defined by section 165.54 of the  
44 penal law, trademark counterfeiting in the second degree as defined in  
45 section 165.72 of the penal law, trademark counterfeiting in the first  
46 degree as defined in section 165.73 of the penal law, forgery in the  
47 second degree as defined in section 170.10 of the penal law, forgery in  
48 the first degree as defined in section 170.15 of the penal law, criminal  
49 possession of a forged instrument in the second degree as defined in  
50 section 170.25 of the penal law, criminal possession of a forged instru-  
51 ment in the first degree as defined in section 170.30 of the penal law,  
52 criminal possession of forgery devices as defined in section 170.40 of  
53 the penal law, falsifying business records in the first degree as  
54 defined in section 175.10 of the penal law, tampering with public  
55 records in the first degree as defined in section 175.25 of the penal  
56 law, offering a false instrument for filing in the first degree as

1 defined in section 175.35 of the penal law, issuing a false certificate  
2 as defined in section 175.40 of the penal law, criminal diversion of  
3 prescription medications and prescriptions in the second degree as  
4 defined in section 178.20 of the penal law, criminal diversion of  
5 prescription medications and prescriptions in the first degree as  
6 defined in section 178.25 of the penal law, residential mortgage fraud  
7 in the fourth degree as defined in section 187.10 of the penal law,  
8 residential mortgage fraud in the third degree as defined in section  
9 187.15 of the penal law, residential mortgage fraud in the second degree  
10 as defined in section 187.20 of the penal law, residential mortgage  
11 fraud in the first degree as defined in section 187.25 of the penal law,  
12 escape in the second degree as defined in section 205.10 of the penal  
13 law, escape in the first degree as defined in section 205.15 of the  
14 penal law, absconding from temporary release in the first degree as  
15 defined in section 205.17 of the penal law, promoting prison contraband  
16 in the first degree as defined in section 205.25 of the penal law,  
17 hindering prosecution in the second degree as defined in section 205.60  
18 of the penal law, hindering prosecution in the first degree as defined  
19 in section 205.65 of the penal law, sex trafficking as defined in  
20 section 230.34 of the penal law, criminal possession of a weapon in the  
21 third degree as defined in subdivisions two, three and five of section  
22 265.02 of the penal law, criminal possession of a weapon in the second  
23 degree as defined in section 265.03 of the penal law, criminal  
24 possession of a weapon in the first degree as defined in section 265.04  
25 of the penal law, manufacture, transport, disposition and defacement of  
26 weapons and dangerous instruments and appliances defined as felonies in  
27 subdivisions one, two, and three of section 265.10 of the penal law,  
28 sections 265.11, 265.12 and 265.13 of the penal law, ~~[e]~~ prohibited use  
29 of weapons as defined in subdivision two of section 265.35 of the penal  
30 law, relating to firearms and other dangerous weapons, unlawful dissem-  
31 ination of instructions for the assembly of a weapon as defined in  
32 section 265.38 of the penal law, or failure to disclose the origin of a  
33 recording in the first degree as defined in section 275.40 of the penal  
34 law;

35 § 11. Subparagraph i of paragraph 7 of subdivision a of section 9-131  
36 of the administrative code of the city of New York, as added by local  
37 law number 58 of the city of New York for the year 2014, is amended to  
38 read as follows:

39 i. a felony defined in any of the following sections of the penal law:  
40 120.01, 120.02, 120.03, 120.04, 120.04-a(4), 120.05, 120.06, 120.07,  
41 120.08, 120.09, 120.10, 120.11, 120.12, 120.13, 120.18, 120.25, 120.55,  
42 120.60, 120.70, 121.12, 121.13, 125.10, 125.11, 125.12, 125.13, 125.14,  
43 125.15, 125.20, 125.21, 125.22, 125.25, 125.26, 125.27, 125.40, 125.45,  
44 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65,  
45 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.85, 130.90,  
46 130.95, 130.96, 135.10, 135.20, 135.25, 135.35, 135.50, 135.65(2)(b),  
47 140.17, 140.25, 140.30, 145.12, 150.05, 150.10, 150.15, 150.20, 160.05,  
48 160.10, 160.15, 195.07, 195.08, 195.17, 215.11, 215.12, 215.13, 215.15,  
49 215.16, 215.17, 215.51, 215.52, 220.18, 220.21, 220.28, 220.41, 220.43,  
50 220.44, 220.48, 220.77, 230.05, 230.06, 230.19, 230.25(2), 230.30,  
51 230.32, 230.33, 230.34, 235.22, 240.06, 240.55, 240.60, 240.61, 240.62,  
52 240.63, 240.75, 241.05, 255.26, 255.27, 260.25, 260.32, 260.34, 263.05,  
53 263.10, 263.11, 263.15, 263.16, 263.30, 265.01-a, 265.01-b, 265.02(2)  
54 through (8), 265.03, 265.04, 265.08, 265.09, 265.10, 265.11, 265.12,  
55 265.13, 265.14, 265.16, 265.17, 265.19, 265.35(2), 265.38, 270.30,  
56 270.35, 405.16(1), 405.18, 460.22, 470.21, 470.22, 470.23, 470.24,



1 490.10, 490.15, 490.20, 490.25, 490.30, 490.35, 490.37, 490.40, 490.45,  
2 490.47, 490.50, or 490.55;

3 § 12. Subparagraph i of paragraph 6 of subdivision a of section 14-154  
4 of the administrative code of the city of New York, as added by local  
5 law number 59 of the city of New York for the year 2014, is amended to  
6 read as follows:

7 i. a felony defined in any of the following sections of the penal law:  
8 120.01, 120.02, 120.03, 120.04, 120.04-a(4), 120.05, 120.06, 120.07,  
9 120.08, 120.09, 120.10, 120.11, 120.12, 120.13, 120.18, 120.25, 120.55,  
10 120.60, 120.70, 121.12, 121.13, 125.10, 125.11, 125.12, 125.13, 125.14,  
11 125.15, 125.20, 125.21, 125.22, 125.25, 125.26, 125.27, 125.40, 125.45,  
12 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65,  
13 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.85, 130.90,  
14 130.95, 130.96, 135.10, 135.20, 135.25, 135.35, 135.50, 135.65(2)(b),  
15 140.17, 140.25, 140.30, 145.12, 150.05, 150.10, 150.15, 150.20, 160.05,  
16 160.10, 160.15, 195.07, 195.08, 195.17, 215.11, 215.12, 215.13, 215.15,  
17 215.16, 215.17, 215.51, 215.52, 220.18, 220.21, 220.28, 220.41, 220.43,  
18 220.44, 220.48, 220.77, 230.05, 230.06, 230.19, 230.25(2), 230.30,  
19 230.32, 230.33, 230.34, 235.22, 240.06, 240.55, 240.60, 240.61, 240.62,  
20 240.63, 240.75, 241.05, 255.26, 255.27, 260.25, 260.32, 260.34, 263.05,  
21 263.10, 263.11, 263.15, 263.16, 263.30, 265.01-a, 265.01-b, 265.02 (2)  
22 through (8), 265.03, 265.04, 265.08, 265.09, 265.10, 265.11, 265.12,  
23 265.13, 265.14, 265.16, 265.17, 265.19, 265.35(2), 265.38, 270.30,  
24 270.35, 405.16(1), 405.18, 460.22, 470.21, 470.22, 470.23, 470.24,  
25 490.10, 490.15, 490.20, 490.25, 490.30, 490.35, 490.37, 490.40, 490.45,  
26 490.47, 490.50, or 490.55;

27 § 13. This act shall take effect on the first of November next  
28 succeeding the date upon which it shall have become a law. Effective  
29 immediately, the addition, amendment and/or repeal of any rule or regu-  
30 lation necessary for the implementation of this act on its effective  
31 date are authorized to be made on or before such effective date.