

# STATE OF NEW YORK

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5274

2017-2018 Regular Sessions

## IN ASSEMBLY

February 7, 2017

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Introduced by M. of A. MORINELLO -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law, in relation to revocation or suspension  
of a license to carry or possess a firearm

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

1 Section 1. Paragraph (a) of subdivision 11 of section 400.00 of the  
2 penal law, as amended by chapter 1 of the laws of 2013, is amended to  
3 read as follows:

4 (a) The conviction of a licensee anywhere of a felony or serious  
5 offense or a licensee at any time becoming ineligible to obtain a  
6 license under this section shall operate as a revocation of the license.  
7 A license may be revoked or suspended as provided for in section 530.14  
8 of the criminal procedure law or section eight hundred forty-two-a of  
9 the family court act; provided that a revocation or suspension of a  
10 license under such sections shall only occur where a temporary order of  
11 protection or an order of protection has been issued, or a temporary  
12 order of protection or an order of protection has been willfully  
13 violated. Except for a license issued pursuant to section 400.01 of this  
14 article, a license may be revoked and cancelled at any time in the city  
15 of New York, and in the counties of Nassau and Suffolk, by the licensing  
16 officer, and elsewhere than in the city of New York by any judge or  
17 justice of a court of record; a license issued pursuant to section  
18 400.01 of this article may be revoked and cancelled at any time by the  
19 licensing officer or any judge or justice of a court of record. The  
20 official revoking a license shall give written notice thereof without  
21 unnecessary delay to the executive department, division of state police,  
22 Albany, and shall also notify immediately the duly constituted police  
23 authorities of the locality.

24 § 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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