

# STATE OF NEW YORK

7903

2017-2018 Regular Sessions

## IN ASSEMBLY

May 18, 2017

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

AN ACT to amend the penal law and the state finance law, in relation to establishing the statewide gun buyback program and the adopt-a-gun foundation

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

1 Section 1. The penal law is amended by adding a new section 400.15 to  
2 read as follows:

3 § 400.15 Statewide gun buyback program.

4 1. For the purposes of this section, "gun buyback program" shall mean  
5 a statewide program in which a firearm, rifle, shotgun or ammunition is  
6 anonymously surrendered in exchange for a monetary reward.

7 2. The statewide gun buyback program is hereby established. Residents  
8 of the state of New York may participate at their option as funds are  
9 allocated through the adopt-a-gun foundation established under section  
10 ninety-seven-cc of the state finance law.

11 3. The superintendent of the New York state police shall administer  
12 this program and shall promulgate any rules and regulations he or she  
13 deems necessary for the implementation of this program. Such rules shall  
14 include:

15 (a) requiring a minimum of sixteen gun buyback events be held per  
16 year, four per each of the northern, southern, eastern and western  
17 regions of the state;

18 (b) at a minimum, one of the four gun buyback events required in para-  
19 graph (a) of this subdivision, shall be held in an urban area with a  
20 high crime rate;

21 (c) guidelines for coordinating with law enforcement agencies and  
22 community organizations to select a location and designate dates and  
23 times for each gun buyback event; and

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

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1 (d) provisions for checking the serial number of every firearm, rifle  
2 or shotgun surrendered at such gun buyback event.

3 4. Any resident who surrenders a firearm, rifle, shotgun or ammunition  
4 anonymously shall be required to show proof of residency.

5 5. Each resident who surrenders a firearm, rifle, shotgun or ammuni-  
6 tion anonymously shall receive, in exchange, a monetary reward of three  
7 hundred dollars per surrendered item.

8 § 2. The state finance law is amended by adding a new section 97-cc to  
9 read as follows:

10 § 97-cc. Adopt-a-gun foundation. 1. There is hereby established by the  
11 superintendent of the New York state police a foundation to be known as  
12 the adopt-a-gun foundation which shall administer the gun buyback  
13 program.

14 2. The adopt-a-gun foundation, along with the superintendent of the  
15 New York state police, shall promulgate rules and regulations for the  
16 implementation of the program, solicitation of donations and allocation  
17 of monetary rewards through the gun buyback program established under  
18 section 400.15 of the penal law.

19 3. Funding may be allocated from the general fund, assets, seizures  
20 and forfeiture funds received by the superintendent of the New York  
21 state police or acquired through donations from private businesses,  
22 corporations, charities and individuals.

23 § 3. This act shall take effect on the ninetieth day after it shall  
24 have become a law. Effective immediately, the addition, amendment and/or  
25 repeal of any rule or regulation necessary for the implementation of  
26 this act on its effective date are authorized to be made and completed  
27 on or before such effective date.