

# STATE OF NEW YORK

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3695

2017-2018 Regular Sessions

## IN SENATE

January 25, 2017

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Introduced by Sen. GOLDEN -- 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 large capacity ammunition feeding devices

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

1 Section 1. Subdivision e of section 265.20 of the penal law, as added  
2 by chapter 98 of the laws of 2013, is amended to read as follows:

3 e. Subdivision eight of section 265.02 and sections 265.36 and 265.37  
4 of this chapter shall not apply to a qualified retired New York or  
5 federal law enforcement officer as defined in subdivision twenty-five of  
6 section 265.00 of this article, with respect to large capacity ammuni-  
7 tion feeding devices issued to such officer or purchased by such officer  
8 in the course of his or her official duties and owned by such officer at  
9 the time of his or her retirement or comparable replacements for such  
10 devices, if: (i) the agency that employed the officer qualified such  
11 officer in the use of the weapon which accepts such device in accordance  
12 with applicable state or federal standards for active duty law enforce-  
13 ment officers within twelve months prior to his or her retirement; and  
14 (ii) such retired officer meets, at his or her own expense, such appli-  
15 cable standards for such weapon at least once within three years after  
16 his or her retirement date and at least once every three years thereaft-  
17 er, provided, however, that any such qualified officer who has been  
18 retired for eighteen months or more on the effective date of this subdi-  
19 vision shall have eighteen months from such effective date to qualify in  
20 the use of the weapon which accepts such large capacity ammunition feed-  
21 ing device according to the provisions of this subdivision, notwith-  
22 standing that such officer did not qualify within three years after his  
23 or her retirement date, provided that such officer is otherwise quali-  
24 fied and maintains compliance with the provisions of this subdivision.

25 For purposes of this subdivision, a comparable replacement shall include  
26 a large capacity ammunition feeding device that is capable of holding up  
27 to sixteen rounds.

28 § 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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