STATE OF NEW YORK

3258

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

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

AN ACT to amend the general business law, in relation to enacting the "handgun trigger safety act"

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

Section 1. Short title. This act shall be known and may be cited as the "handgun trigger safety act".

§ 2. The general business law is amended by adding a new article 42 to read as follows:

ARTICLE 42

PERSONALIZED HANDGUNS

Section 1100. Definitions.

1101. Development of personalized handgun technology.

1102. Manufacturing of personalized handguns.

1103. Division of criminal justice services oversight.

§ 1100. Definitions. For purposes of this article:

1. "Personalized handgun" shall mean a handgun that:

(a) enables only an authorized user of the handgun to fire the handgun; and

(b) is manufactured in such a manner that the firing restriction described in paragraph (a) of this subdivision is incorporated into the design of the handgun; is not sold as an accessory; and cannot be readily removed or deactivated;

2. "Qualified entity" shall mean:

(a) a state or unit of local government;

(b) a nonprofit or for-profit organization; or

(c) an institution of higher education; and

3. "Retrofitted personalized handgun" means a handgun fitted with a device that:

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

LBD06192-01-9

(a) enables only an authorized user of the handgun to fire the handgun; and

(b) cannot be readily removed or deactivated.

§ 1101. Development of personalized handgun technology. The secretary of state shall administer a grant program, with funding to be provided by the legislature, to provide grants to qualified entities for the development and improvement of personalized handgun technology.

§ 1102. Manufacturing of personalized handguns. 1. Notwithstanding any other provision of this section, all handguns manufactured for sale in the state of New York, whether for law enforcement or private use, shall be equipped with personalized handgun technology within five years of the effective date of this article.

2. All handguns to be sold in the state of New York shall meet the requirements of a retrofitted personalized handgun or personalized handgun as defined in this article within ten years of the effective date of this article.

3. A fund shall be established by the secretary of state to assist with the expenses of retrofitting handguns pursuant to subdivision two of this section.

§ 1103. Division of criminal justice services oversight. 1. The division of criminal justice services shall monitor the progress of the development and improvement of personalized handgun technology as provided in section eleven hundred one of this article and enforce the provisions of this article.

2. The division of criminal justice services shall recommend manufacturing standards for the sale of personalized handguns and incentives for the further development of such technology. The division of criminal justice services shall make such recommendations to the state legislature on a yearly basis.

§ 3. This act shall take effect immediately.