

STATE OF NEW YORK

5011

2019-2020 Regular Sessions

IN ASSEMBLY

February 6, 2019

Introduced by M. of A. DiPIETRO, WOERNER, WALSH, WRIGHT, NIOU, HYNDMAN, MOSLEY, WALLACE, PICHARDO, JEAN-PIERRE, HUNTER, DICKENS, GOTTFRIED, GIGLIO, McDONOUGH, BRABENEC, MORINELLO, RAIA, BARRON -- Multi-Sponsored by -- M. of A. EPSTEIN, GALEF, PALMESANO, RA, STEC -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to requiring application for a license to carry or possess a pistol or revolver to be acted upon within 180 days of the receipt thereof

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

1 Section 1. Paragraph (a) of subdivision 3 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) (i) Applications shall be made and renewed, in the case of a
5 license to carry or possess a pistol or revolver, to the licensing offi-
6 cer in the city or county, as the case may be, where the applicant
7 resides, is principally employed or has his or her principal place of
8 business as merchant or storekeeper; and, in the case of a license as
9 gunsmith or dealer in firearms, to the licensing officer where such
10 place of business is located. Blank applications shall, except in the
11 city of New York, be approved as to form by the superintendent of state
12 police. An application shall state the full name, date of birth, resi-
13 dence, present occupation of each person or individual signing the same,
14 whether or not he or she is a citizen of the United States, whether or
15 not he or she complies with each requirement for eligibility specified
16 in subdivision one of this section and such other facts as may be
17 required to show the good character, competency and integrity of each
18 person or individual signing the application. An application shall be
19 signed and verified by the applicant. Each individual signing an appli-
20 cation shall submit one photograph of himself or herself and a duplicate
21 for each required copy of the application. Such photographs shall have

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

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1 been taken within thirty days prior to filing the application. In case
2 of a license as gunsmith or dealer in firearms, the photographs submit-
3 ted shall be two inches square, and the application shall also state the
4 previous occupation of each individual signing the same and the location
5 of the place of such business, or of the bureau, agency, subagency,
6 office or branch office for which the license is sought, specifying the
7 name of the city, town or village, indicating the street and number and
8 otherwise giving such apt description as to point out reasonably the
9 location thereof. In such case, if the applicant is a firm, partnership
10 or corporation, its name, date and place of formation, and principal
11 place of business shall be stated. For such firm or partnership, the
12 application shall be signed and verified by each individual composing or
13 intending to compose the same, and for such corporation, by each officer
14 thereof.

15 (ii) In the case of each application for the issuance or renewal of a
16 license to carry or possess a pistol or revolver, the licensing officer
17 shall provide written notice to the applicant of the approval or denial
18 of such application within one hundred eighty days of the receipt of the
19 application by the appropriate county or city. In the event such notice
20 is not provided within one hundred eighty days, the county or city shall
21 provide to the applicant, a refund of all fees and charges associated
22 with the submission of the application, unless the failure to provide
23 timely notice was due to a factor or factors beyond the control of the
24 city or county and the licensing officer.

25 § 2. This act shall take effect on the thirtieth day after it shall
26 have become a law.