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:

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

(a) **(i)** Applications shall be made and renewed, in the case of a license to carry or possess a pistol or revolver, to the licensing officer in the city or county, as the case may be, where the applicant resides, is principally employed or has his or her principal place of business as merchant or storekeeper; and, in the case of a license as gunsmith or dealer in firearms, to the licensing officer where such place of business is located. Blank applications shall, except in the city of New York, be approved as to form by the superintendent of state police. An application shall state the full name, date of birth, residence, present occupation of each person or individual signing the same, whether or not he or she is a citizen of the United States, whether or not he or she complies with each requirement for eligibility specified in subdivision one of this section and such other facts as may be required to show the good character, competency and integrity of each person or individual signing the application. An application shall be signed and verified by the applicant. Each individual signing an application shall submit one photograph of himself or herself and a duplicate 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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been taken within thirty days prior to filing the application. In case of a license as gunsmith or dealer in firearms, the photographs submitted shall be two inches square, and the application shall also state the previous occupation of each individual signing the same and the location of the place of such business, or of the bureau, agency, subagency, office or branch office for which the license is sought, specifying the name of the city, town or village, indicating the street and number and otherwise giving such apt description as to point out reasonably the location thereof. In such case, if the applicant is a firm, partnership or corporation, its name, date and place of formation, and principal place of business shall be stated. For such firm or partnership, the application shall be signed and verified by each individual composing or intending to compose the same, and for such corporation, by each officer thereof.

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

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