

STATE OF NEW YORK

2143

2019-2020 Regular Sessions

IN SENATE

January 22, 2019

Introduced by Sens. HOYLMAN, PARKER, BROOKS, CARLUCCI, KAMINSKY, KENNEDY, KRUEGER, MONTGOMERY, PERSAUD -- 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 the manufacture, assembly, possession, license and disposal of ghost guns, the establishment of the offense of unlawful dissemination of instructions for the assembly of a weapon and the sentencing for certain offenses regarding ghost guns; to amend the general business law, in relation to the suspension and revocation of certain licenses or registrations; to amend the criminal procedure law, in relation to adding the offense of unlawful dissemination of instructions for the assembly of a weapon to the list of designated offenses for the purpose of obtaining eavesdropping and video surveillance warrants; and to amend the administrative code of the city of New York, in relation to including the offense of unlawful dissemination of instructions for the assembly of a weapon in the definition of violent or serious crime

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

1 Section 1. Section 265.00 of the penal law is amended by adding four
2 new subdivisions 26, 27, 28 and 29 to read as follows:

3 26. "Major component" means, in the case of a firearm, rifle or shot-
4 gun the slide or cylinder, or the frame or receiver, and, in the case of
5 a shotgun, the barrel.

6 27. "Additive manufacturing" means a manufacturing process in which
7 material is added in order to produce the product, including but not
8 limited to three-dimensional printing in which layers of material are
9 laid down in succession.

10 28. "Unfinished firearm frame or receiver" means a piece of any mate-
11 rial that does not constitute the frame or receiver of a firearm, rifle
12 or shotgun but that has been shaped or formed in any way for the purpose
13 of becoming the frame or receiver of a firearm, rifle or shotgun. The

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

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1 term shall not include a piece of material that has had its size or
2 external shape altered to facilitate transportation or storage or has
3 had its chemical composition altered.

4 29. "Ghost gun" means a firearm, rifle or shotgun that is:

5 (a) manufactured using additive manufacturing; or

6 (b) assembled from a frame or receiver that was marketed and/or sold
7 (either separately or as part of a kit) as an unfinished firearm frame
8 or receiver that the recipient could use to assemble a firearm, rifle or
9 shotgun.

10 § 2. Subdivision 10 of section 265.02 of the penal law, as added by
11 chapter 1 of the laws of 2013, is amended and two new subdivisions 11
12 and 12 are added to read as follows:

13 (10) Such person possesses an unloaded firearm and also commits any
14 violent felony offense as defined in subdivision one of section 70.02 of
15 this chapter as part of the same criminal transaction[~~+~~]; or

16 (11) Such person, if not a gunsmith or dealer duly licensed pursuant
17 to section 400.00 of this chapter, possesses a ghost gun that has not
18 been registered with a licensing officer and engraved or permanently
19 affixed with a serial number as provided in subdivision ten of section
20 265.10 of this article; or

21 (12) Such person possesses a firearm, rifle or shotgun manufactured or
22 assembled as a ghost gun that does not comply with the provisions of
23 subdivision nine of section 265.10 of this article.

24 § 3. Section 265.10 of the penal law is amended by adding three new
25 subdivisions 8, 9 and 10 to read as follows:

26 8. Any person, other than a gunsmith duly licensed pursuant to section
27 400.00 of this chapter, who assembles, manufactures, or causes to be
28 assembled or manufactured, a firearm, rifle or shotgun is guilty of a
29 class C felony.

30 9. For all firearms, rifles and shotguns manufactured, assembled, or
31 caused to be manufactured or assembled, sold, exchanged, disposed of or
32 possessed: (a) each major component must be detectable by a metal
33 detector calibrated to detect 3.7 ounces of type 17-4 PH stainless
34 steel; and (b) each major component, if subject to the types of
35 detection devices commonly used at airports for security screening, must
36 generate an image that adequately depicts the shape of the component.
37 Any gunsmith who fails to comply with this subdivision shall be guilty
38 of a class C felony.

39 10. All ghost guns manufactured, assembled, or caused to be manufac-
40 tured or assembled by a gunsmith shall be registered with the licensing
41 officer in the city or county where the gunsmith is located. Such
42 licensing officer, in consultation with the division of state police,
43 shall issue a unique serial number for each firearm, rifle or shotgun so
44 registered. For each such ghost gun, records reflecting the identity of
45 the manufacturing or assembling gunsmith and the serial number of the
46 ghost gun shall be included in the statewide license and record database
47 established pursuant to section 400.02 of this chapter. The manufactur-
48 ing or assembling gunsmith shall engrave or permanently affix the serial
49 number to the firearm, rifle or shotgun in a manner that meets or
50 exceeds the requirements imposed on licensed importers and licensed
51 manufacturers of shotguns pursuant to subsection (i) of Section 923 of
52 Title 18 of the United States Code and regulations issued pursuant ther-
53 eto. Any gunsmith who fails to comply with this subdivision shall be
54 guilty of a class C felony.

55 § 4. Section 265.11 of the penal law, as amended by chapter 764 of the
56 laws of 2005, is amended to read as follows:

1 § 265.11 Criminal sale of a firearm in the third degree.

2 A person is guilty of criminal sale of a firearm in the third degree
3 when:

4 (1) such person is not authorized pursuant to law to possess a firearm
5 and such person unlawfully either:

6 [~~1~~] (a) sells, exchanges, gives or disposes of a firearm or large
7 capacity ammunition feeding device to another person; or

8 [~~2~~] (b) possesses a firearm with the intent to sell it[~~+~~];

9 (2) such person is not a gunsmith or dealer duly licensed pursuant to
10 section 400.00 of this chapter and such person sells, exchanges, gives
11 or disposes of a firearm, rifle or shotgun manufactured or assembled as
12 a ghost gun, unless such sale, exchange, gift or disposal is in compli-
13 ance with all requirements under state and federal law relating to the
14 sale, exchange, gift or disposal of firearms, rifles and shotguns and:

15 (a) the recipient holds a federal firearms license issued pursuant to
16 Section 923 of Title 18 of the United States Code;

17 (b) the recipient is a peace officer, as described in section 2.10 of
18 the criminal procedure law;

19 (c) the recipient is a federal law enforcement officer, as described
20 in section 2.15 of the criminal procedure law; or

21 (d) the sale, exchange, gift, or disposal is between members of an
22 immediate family, as defined in section eight hundred ninety-eight of
23 the general business law; or

24 (3) such person sells, exchanges, gives or disposes of an unfinished
25 firearm frame or receiver, unless:

26 (a) the recipient is a gunsmith duly licensed pursuant to section
27 400.00 of this chapter;

28 (b) the recipient is a peace officer, as described in section 2.10 of
29 the criminal procedure law; or

30 (c) the recipient is a federal law enforcement officer, as described
31 in section 2.15 of the criminal procedure law.

32 Criminal sale of a firearm in the third degree is a class D felony.

33 § 5. Section 265.12 of the penal law, as amended by chapter 764 of the
34 laws of 2005, is amended to read as follows:

35 § 265.12 Criminal sale of a firearm in the second degree.

36 A person is guilty of criminal sale of a firearm in the second degree
37 when such person:

38 (1) unlawfully sells, exchanges, gives or disposes of to another five
39 or more firearms; [~~e~~]

40 (2) unlawfully sells, exchanges, gives or disposes of to another
41 person or persons a total of five or more firearms in a period of not
42 more than one year[~~+~~];

43 (3) being a gunsmith or dealer duly licensed pursuant to section
44 400.00 of this chapter, sells, exchanges, gives or disposes of a ghost
45 gun that has not been registered with a licensing officer and engraved
46 or permanently affixed with a serial number as provided in subdivision
47 ten of section 265.10 of this article; or

48 (4) being a gunsmith or dealer duly licensed pursuant to section
49 400.00 of this chapter, sells, exchanges, gives or disposes of a
50 firearm, rifle or shotgun manufactured or assembled as a ghost gun that
51 does not comply with the provisions of subdivision nine or ten of
52 section 265.10 of this article.

53 Criminal sale of a firearm in the second degree is a class C felony.

54 § 6. The penal law is amended by adding a new section 265.38 to read
55 as follows:

1 § 265.38 Unlawful dissemination of instructions for the assembly of a
2 weapon.

3 It shall be unlawful for any person to intentionally publish, over the
4 internet or by means of the world wide web, digital instructions in the
5 form of computer aided design files or other code that can automatically
6 program a three-dimensional printer or similar device to produce a
7 firearm, rifle or shotgun.

8 Unlawful dissemination of instructions for the assembly of a weapon is
9 a class D felony.

10 § 7. Paragraph (c) of subdivision 1, paragraph (b) and the opening
11 paragraph of paragraph (c) of subdivision 2 of section 70.02 of the
12 penal law, paragraph (c) of subdivision 1 as amended by chapter 368 of
13 the laws of 2015, paragraph (b) of subdivision 2 as amended by section
14 122 of subpart B of part C of chapter 62 of the laws of 2011, and the
15 opening paragraph of paragraph (c) of subdivision 2 as amended by chap-
16 ter 1 of the laws of 2013, are amended to read as follows:

17 (c) Class D violent felony offenses: an attempt to commit any of the
18 class C felonies set forth in paragraph (b); reckless assault of a child
19 as defined in section 120.02, assault in the second degree as defined in
20 section 120.05, menacing a police officer or peace officer as defined in
21 section 120.18, stalking in the first degree, as defined in subdivision
22 one of section 120.60, strangulation in the second degree as defined in
23 section 121.12, rape in the second degree as defined in section 130.30,
24 criminal sexual act in the second degree as defined in section 130.45,
25 sexual abuse in the first degree as defined in section 130.65, course of
26 sexual conduct against a child in the second degree as defined in
27 section 130.80, aggravated sexual abuse in the third degree as defined
28 in section 130.66, facilitating a sex offense with a controlled
29 substance as defined in section 130.90, labor trafficking as defined in
30 paragraphs (a) and (b) of subdivision three of section 135.35, criminal
31 possession of a weapon in the third degree as defined in subdivision
32 five, six, seven, eight, nine or ten of section 265.02, criminal sale of
33 a firearm in the third degree as defined in section 265.11, unlawful
34 dissemination of instructions for the assembly of a weapon as defined in
35 section 265.38, intimidating a victim or witness in the second degree as
36 defined in section 215.16, soliciting or providing support for an act of
37 terrorism in the second degree as defined in section 490.10, and making
38 a terroristic threat as defined in section 490.20, falsely reporting an
39 incident in the first degree as defined in section 240.60, placing a
40 false bomb or hazardous substance in the first degree as defined in
41 section 240.62, placing a false bomb or hazardous substance in a sports
42 stadium or arena, mass transportation facility or enclosed shopping mall
43 as defined in section 240.63, and aggravated unpermitted use of indoor
44 pyrotechnics in the first degree as defined in section 405.18.

45 (b) Except as provided in paragraph (b-1) of this subdivision, subdivi-
46 sion six of section 60.05 and subdivision four of this section, the
47 sentence imposed upon a person who stands convicted of a class D violent
48 felony offense, other than the offense of criminal possession of a weap-
49 on in the third degree as defined in subdivision five, seven or eight of
50 section 265.02 [~~ex~~], criminal sale of a firearm in the third degree as
51 defined in section 265.11 or unlawful dissemination of instructions for
52 the assembly of a weapon as defined in section 265.38, must be in
53 accordance with the applicable provisions of this chapter relating to
54 sentencing for class D felonies provided, however, that where a sentence
55 of imprisonment is imposed which requires a commitment to the state
56 department of corrections and community supervision, such sentence shall

1 be a determinate sentence in accordance with paragraph (c) of subdivi-
2 sion three of this section.

3 Except as provided in subdivision six of section 60.05, the sentence
4 imposed upon a person who stands convicted of the class D violent felony
5 offenses of criminal possession of a weapon in the third degree as
6 defined in subdivision five, seven, eight or nine of section 265.02,
7 criminal sale of a firearm in the third degree as defined in section
8 265.11, unlawful dissemination of instructions for the assembly of a
9 weapon as defined in section 265.38 or the class E violent felonies of
10 attempted criminal possession of a weapon in the third degree as defined
11 in subdivision five, seven, eight or nine of section 265.02 must be a
12 sentence to a determinate period of imprisonment, or, in the alterna-
13 tive, a definite sentence of imprisonment for a period of no less than
14 one year, except that:

15 § 8. Paragraph (a) of subdivision 1 of section 460.10 of the penal
16 law, as amended by chapter 189 of the laws of 2018, is amended to read
17 as follows:

18 (a) Any of the felonies set forth in this chapter: sections 120.05,
19 120.10 and 120.11 relating to assault; sections 121.12 and 121.13 relat-
20 ing to strangulation; sections 125.10 to 125.27 relating to homicide;
21 sections 130.25, 130.30 and 130.35 relating to rape; sections 135.20 and
22 135.25 relating to kidnapping; sections 135.35 and 135.37 relating to
23 labor trafficking; section 135.65 relating to coercion; sections 140.20,
24 140.25 and 140.30 relating to burglary; sections 145.05, 145.10 and
25 145.12 relating to criminal mischief; article one hundred fifty relating
26 to arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand
27 larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health
28 care fraud; article one hundred sixty relating to robbery; sections
29 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of
30 stolen property; sections 165.72 and 165.73 relating to trademark coun-
31 terfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and
32 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and
33 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and
34 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating
35 to criminal diversion of prescription medications and prescriptions;
36 sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03,
37 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56,
38 215.00, 215.05 and 215.19 relating to bribery; sections 187.10, 187.15,
39 187.20 and 187.25 relating to residential mortgage fraud, sections
40 190.40 and 190.42 relating to criminal usury; section 190.65 relating to
41 schemes to defraud; any felony defined in article four hundred ninety-
42 six; sections 205.60 and 205.65 relating to hindering prosecution;
43 sections 210.10, 210.15, and 215.51 relating to perjury and contempt;
44 section 215.40 relating to tampering with physical evidence; sections
45 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41,
46 220.43, 220.46, 220.55, 220.60, 220.65 and 220.77 relating to controlled
47 substances; sections 225.10 and 225.20 relating to gambling; sections
48 230.25, 230.30, and 230.32 relating to promoting prostitution; section
49 230.34 relating to sex trafficking; section 230.34-a relating to sex
50 trafficking of a child; sections 235.06, 235.07, 235.21 and 235.22
51 relating to obscenity; sections 263.10 and 263.15 relating to promoting
52 a sexual performance by a child; sections 265.02, 265.03, 265.04,
53 265.11, 265.12, 265.13 and the provisions of section 265.10 which
54 constitute a felony relating to firearms and other dangerous weapons;
55 sections 265.14 and 265.16 relating to criminal sale of a firearm;
56 section 265.38 relating to unlawful dissemination of instructions for

1 the assembly of a weapon; section 275.10, 275.20, 275.30, or 275.40
2 relating to unauthorized recordings; and sections 470.05, 470.10, 470.15
3 and 470.20 relating to money laundering; or

4 § 9. Paragraph f of subdivision 1 of section 410 of the general busi-
5 ness law, as amended by chapter 189 of the laws of 2018, is amended to
6 read as follows:

7 f. Conviction of any of the following crimes subsequent to the issu-
8 ance of a license or registration pursuant to this article: fraud pursu-
9 ant to sections 170.10, 170.15, 176.15, 176.20, 176.25, 176.30 and
10 190.65; falsifying business records pursuant to section 175.10; grand
11 larceny pursuant to article [~~155~~] one hundred fifty-five; bribery pursu-
12 ant to sections 180.03, 180.08, 180.15, 180.25, 200.00, 200.03, 200.04,
13 200.10, 200.11, 200.12, 200.45, 200.50; perjury pursuant to sections
14 210.10, 210.15, 210.40; assault pursuant to sections 120.05, 120.10,
15 120.11, 120.12; robbery pursuant to article [~~160~~] one hundred sixty;
16 homicide pursuant to sections 125.25 and 125.27; manslaughter pursuant
17 to sections 125.15 and 125.20; kidnapping and unlawful imprisonment
18 pursuant to sections 135.10, 135.20 and 135.25; unlawful weapons
19 possession pursuant to sections 265.02, 265.03 and 265.04; criminal use
20 of a weapon pursuant to sections 265.08 and 265.09; criminal sale of a
21 weapon pursuant to sections 265.11 and 265.12; unlawful dissemination of
22 instructions for the assembly of a weapon as defined in section 265.38;
23 compelling prostitution pursuant to section 230.33; sex trafficking
24 pursuant to section 230.34; sex trafficking of a child pursuant to
25 section 230.34-a; and sex offenses pursuant to article [~~130~~] one hundred
26 thirty of the penal law. Provided, however, that for the purposes of
27 this article, none of the following shall be considered criminal
28 convictions or reported as such: (i) a conviction for which an executive
29 pardon has been issued pursuant to the executive law; (ii) a conviction
30 which has been vacated and replaced by a youthful offender finding
31 pursuant to article seven hundred twenty of the criminal procedure law,
32 or the applicable provisions of law of any other jurisdiction; or (iii)
33 a conviction the records of which have been expunged or sealed pursuant
34 to the applicable provisions of the laws of this state or of any other
35 jurisdiction; and (iv) a conviction for which other evidence of success-
36 ful rehabilitation to remove the disability has been issued.

37 § 10. Paragraph (b) of subdivision 8 of section 700.05 of the criminal
38 procedure law, as amended by chapter 189 of the laws of 2018, is amended
39 to read as follows:

40 (b) Any of the following felonies: assault in the second degree as
41 defined in section 120.05 of the penal law, assault in the first degree
42 as defined in section 120.10 of the penal law, reckless endangerment in
43 the first degree as defined in section 120.25 of the penal law, promot-
44 ing a suicide attempt as defined in section 120.30 of the penal law,
45 strangulation in the second degree as defined in section 121.12 of the
46 penal law, strangulation in the first degree as defined in section
47 121.13 of the penal law, criminally negligent homicide as defined in
48 section 125.10 of the penal law, manslaughter in the second degree as
49 defined in section 125.15 of the penal law, manslaughter in the first
50 degree as defined in section 125.20 of the penal law, murder in the
51 second degree as defined in section 125.25 of the penal law, murder in
52 the first degree as defined in section 125.27 of the penal law, abortion
53 in the second degree as defined in section 125.40 of the penal law,
54 abortion in the first degree as defined in section 125.45 of the penal
55 law, rape in the third degree as defined in section 130.25 of the penal
56 law, rape in the second degree as defined in section 130.30 of the penal

1 law, rape in the first degree as defined in section 130.35 of the penal
2 law, criminal sexual act in the third degree as defined in section
3 130.40 of the penal law, criminal sexual act in the second degree as
4 defined in section 130.45 of the penal law, criminal sexual act in the
5 first degree as defined in section 130.50 of the penal law, sexual abuse
6 in the first degree as defined in section 130.65 of the penal law,
7 unlawful imprisonment in the first degree as defined in section 135.10
8 of the penal law, kidnapping in the second degree as defined in section
9 135.20 of the penal law, kidnapping in the first degree as defined in
10 section 135.25 of the penal law, labor trafficking as defined in section
11 135.35 of the penal law, aggravated labor trafficking as defined in
12 section 135.37 of the penal law, custodial interference in the first
13 degree as defined in section 135.50 of the penal law, coercion in the
14 first degree as defined in section 135.65 of the penal law, criminal
15 trespass in the first degree as defined in section 140.17 of the penal
16 law, burglary in the third degree as defined in section 140.20 of the
17 penal law, burglary in the second degree as defined in section 140.25 of
18 the penal law, burglary in the first degree as defined in section 140.30
19 of the penal law, criminal mischief in the third degree as defined in
20 section 145.05 of the penal law, criminal mischief in the second degree
21 as defined in section 145.10 of the penal law, criminal mischief in the
22 first degree as defined in section 145.12 of the penal law, criminal
23 tampering in the first degree as defined in section 145.20 of the penal
24 law, arson in the fourth degree as defined in section 150.05 of the
25 penal law, arson in the third degree as defined in section 150.10 of the
26 penal law, arson in the second degree as defined in section 150.15 of
27 the penal law, arson in the first degree as defined in section 150.20 of
28 the penal law, grand larceny in the fourth degree as defined in section
29 155.30 of the penal law, grand larceny in the third degree as defined in
30 section 155.35 of the penal law, grand larceny in the second degree as
31 defined in section 155.40 of the penal law, grand larceny in the first
32 degree as defined in section 155.42 of the penal law, health care fraud
33 in the fourth degree as defined in section 177.10 of the penal law,
34 health care fraud in the third degree as defined in section 177.15 of
35 the penal law, health care fraud in the second degree as defined in
36 section 177.20 of the penal law, health care fraud in the first degree
37 as defined in section 177.25 of the penal law, robbery in the third
38 degree as defined in section 160.05 of the penal law, robbery in the
39 second degree as defined in section 160.10 of the penal law, robbery in
40 the first degree as defined in section 160.15 of the penal law, unlawful
41 use of secret scientific material as defined in section 165.07 of the
42 penal law, criminal possession of stolen property in the fourth degree
43 as defined in section 165.45 of the penal law, criminal possession of
44 stolen property in the third degree as defined in section 165.50 of the
45 penal law, criminal possession of stolen property in the second degree
46 as defined by section 165.52 of the penal law, criminal possession of
47 stolen property in the first degree as defined by section 165.54 of the
48 penal law, trademark counterfeiting in the second degree as defined in
49 section 165.72 of the penal law, trademark counterfeiting in the first
50 degree as defined in section 165.73 of the penal law, forgery in the
51 second degree as defined in section 170.10 of the penal law, forgery in
52 the first degree as defined in section 170.15 of the penal law, criminal
53 possession of a forged instrument in the second degree as defined in
54 section 170.25 of the penal law, criminal possession of a forged instru-
55 ment in the first degree as defined in section 170.30 of the penal law,
56 criminal possession of forgery devices as defined in section 170.40 of

1 the penal law, falsifying business records in the first degree as
2 defined in section 175.10 of the penal law, tampering with public
3 records in the first degree as defined in section 175.25 of the penal
4 law, offering a false instrument for filing in the first degree as
5 defined in section 175.35 of the penal law, issuing a false certificate
6 as defined in section 175.40 of the penal law, criminal diversion of
7 prescription medications and prescriptions in the second degree as
8 defined in section 178.20 of the penal law, criminal diversion of
9 prescription medications and prescriptions in the first degree as
10 defined in section 178.25 of the penal law, residential mortgage fraud
11 in the fourth degree as defined in section 187.10 of the penal law,
12 residential mortgage fraud in the third degree as defined in section
13 187.15 of the penal law, residential mortgage fraud in the second degree
14 as defined in section 187.20 of the penal law, residential mortgage
15 fraud in the first degree as defined in section 187.25 of the penal law,
16 escape in the second degree as defined in section 205.10 of the penal
17 law, escape in the first degree as defined in section 205.15 of the
18 penal law, absconding from temporary release in the first degree as
19 defined in section 205.17 of the penal law, promoting prison contraband
20 in the first degree as defined in section 205.25 of the penal law,
21 hindering prosecution in the second degree as defined in section 205.60
22 of the penal law, hindering prosecution in the first degree as defined
23 in section 205.65 of the penal law, sex trafficking as defined in
24 section 230.34 of the penal law, sex trafficking of a child as defined
25 in section 230.34-a of the penal law, criminal possession of a weapon in
26 the third degree as defined in subdivisions two, three and five of
27 section 265.02 of the penal law, criminal possession of a weapon in the
28 second degree as defined in section 265.03 of the penal law, criminal
29 possession of a weapon in the first degree as defined in section 265.04
30 of the penal law, manufacture, transport, disposition and defacement of
31 weapons and dangerous instruments and appliances defined as felonies in
32 subdivisions one, two, and three of section 265.10 of the penal law,
33 sections 265.11, 265.12 and 265.13 of the penal law, or prohibited use
34 of weapons as defined in subdivision two of section 265.35 of the penal
35 law, relating to firearms and other dangerous weapons, unlawful dissem-
36 ination of instructions for the assembly of a weapon as defined in
37 section 265.38 of the penal law, or failure to disclose the origin of a
38 recording in the first degree as defined in section 275.40 of the penal
39 law;

40 § 11. Subparagraph i of paragraph 7 of subdivision a of section 9-131
41 of the administrative code of the city of New York, as amended by chap-
42 ter 189 of the laws of 2018, is amended to read as follows:

43 i. a felony defined in any of the following sections of the penal law:
44 120.01, 120.02, 120.03, 120.04, 120.04-a(4), 120.05, 120.06, 120.07,
45 120.08, 120.09, 120.10, 120.11, 120.12, 120.13, 120.18, 120.25, 120.55,
46 120.60, 120.70, 121.12, 121.13, 125.10, 125.11, 125.12, 125.13, 125.14,
47 125.15, 125.20, 125.21, 125.22, 125.25, 125.26, 125.27, 125.40, 125.45,
48 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65,
49 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.85, 130.90,
50 130.95, 130.96, 135.10, 135.20, 135.25, 135.35, 135.50, 135.65(2)(b),
51 140.17, 140.25, 140.30, 145.12, 150.05, 150.10, 150.15, 150.20, 160.05,
52 160.10, 160.15, 195.07, 195.08, 195.17, 215.11, 215.12, 215.13, 215.15,
53 215.16, 215.17, 215.51, 215.52, 220.18, 220.21, 220.28, 220.41, 220.43,
54 220.44, 220.48, 220.77, 230.05, 230.06, 230.19, 230.25(2), 230.30,
55 230.32, 230.33, 230.34, 230.34-a, 235.22, 240.06, 240.55, 240.60,
56 240.61, 240.62, 240.63, 240.75, 241.05, 255.26, 255.27, 260.25, 260.32,

1 260.34, 263.05, 263.10, 263.11, 263.15, 263.16, 263.30, 265.01-a,
2 265.01-b, 265.02(2) through (8), 265.03, 265.04, 265.08, 265.09, 265.10,
3 265.11, 265.12, 265.13, 265.14, 265.16, 265.17, 265.19, 265.35(2),
4 265.38, 270.30, 270.35, 405.16(1), 405.18, 460.22, 470.21, 470.22,
5 470.23, 470.24, 490.10, 490.15, 490.20, 490.25, 490.30, 490.35, 490.37,
6 490.40, 490.45, 490.47, 490.50, or 490.55;

7 § 12. Subparagraph i of paragraph 6 of subdivision a of section 14-154
8 of the administrative code of the city of New York, as amended by chap-
9 ter 189 of the laws of 2018, is amended to read as follows:

10 i. a felony defined in any of the following sections of the penal law:
11 120.01, 120.02, 120.03, 120.04, 120.04-a(4), 120.05, 120.06, 120.07,
12 120.08, 120.09, 120.10, 120.11, 120.12, 120.13, 120.18, 120.25, 120.55,
13 120.60, 120.70, 121.12, 121.13, 125.10, 125.11, 125.12, 125.13, 125.14,
14 125.15, 125.20, 125.21, 125.22, 125.25, 125.26, 125.27, 125.40, 125.45,
15 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65,
16 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.85, 130.90,
17 130.95, 130.96, 135.10, 135.20, 135.25, 135.35, 135.50, 135.65(2)(b),
18 140.17, 140.25, 140.30, 145.12, 150.05, 150.10, 150.15, 150.20, 160.05,
19 160.10, 160.15, 195.07, 195.08, 195.17, 215.11, 215.12, 215.13, 215.15,
20 215.16, 215.17, 215.51, 215.52, 220.18, 220.21, 220.28, 220.41, 220.43,
21 220.44, 220.48, 220.77, 230.05, 230.06, 230.19, 230.25(2), 230.30,
22 230.32, 230.33, 230.34, 230.34-a, 235.22, 240.06, 240.55, 240.60,
23 240.61, 240.62, 240.63, 240.75, 241.05, 255.26, 255.27, 260.25, 260.32,
24 260.34, 263.05, 263.10, 263.11, 263.15, 263.16, 263.30, 265.01-a,
25 265.01-b, 265.02 (2) through (8), 265.03, 265.04, 265.08, 265.09,
26 265.10, 265.11, 265.12, 265.13, 265.14, 265.16, 265.17, 265.19,
27 265.35(2), 265.38, 270.30, 270.35, 405.16(1), 405.18, 460.22, 470.21,
28 470.22, 470.23, 470.24, 490.10, 490.15, 490.20, 490.25, 490.30, 490.35,
29 490.37, 490.40, 490.45, 490.47, 490.50, or 490.55;

30 § 13. This act shall take effect on the first of November next
31 succeeding the date upon which it shall have become a law. Effective
32 immediately, the addition, amendment and/or repeal of any rule or regu-
33 lation necessary for the implementation of this act on its effective
34 date are authorized to be made and completed on or before such effective
35 date.