STATE OF NEW YORK

10619

IN ASSEMBLY

July 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Paulin) -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to requiring a firearms safety course for a license to carry, possess, repair or dispose of a firearm

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

Section 1. Paragraphs (m) and (n) of subdivision 1 of section 400.00 of the penal law, as amended by chapter 1 of the laws of 2013, are amended and two new paragraphs (o) and (p) are added to read as follows:

(m) who has not had a guardian appointed for him or her pursuant to any provision of state law, based on a determination that as a result of marked subnormal intelligence, mental illness, incapacity, condition or disease, he or she lacks the mental capacity to contract or manage his or her own affairs; [~~and~~] (n) concerning whom no good cause exists for the denial of the license[~~.~~]; **(o) in any county other than the county of Westchester, who has successfully completed a firearms safety course and test as evidenced by a certificate of completion issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor, except that: (i) persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are not required to have completed those hours of a firearms safety course pertaining to the safe use, carrying, possession, maintenance and storage of a firearm; and (ii) persons who were licensed to possess a pistol or revolver prior to the effective date of this paragraph are not required to have completed a firearms safety course and test; and (p) when such applicant is applying for a license to carry, who has successfully completed a concealed carry course and written test in addition to the firearms safety course and has completed forty hours of training on the firing range and passed a firearm qualification test as evidenced by a certificate of completion issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly**

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

LBD16047-01-2

authorized instructor, except that: (i) persons who are honorably discharged from the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York, and produce evidence of official qualification in firearms during the term of service are not required to have completed those hours of a firearms safety course pertaining to the safe use, carrying, possession, maintenance and storage of a firearm; and (ii) persons who were licensed to carry a pistol or revolver prior to the effective date of this paragraph are not required to have completed a concealed carry course and written test and are not required to have completed forty hours of training on the firing range and pass a firearm qualification test.

§ 2. Section 400.00 of the penal law is amended by adding two new subdivisions 4-c and 4-d to read as follows:

4-c. Firearms safety course certificate. In any county other than the county of Westchester, before such license is issued, such licensing officer shall require that the applicant submit a certificate of successful completion of a firearms safety course and test issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor.

4-d. Concealed carry course certificate. Before a license to carry is issued, such licensing officer shall require that the applicant submit a certificate of successful completion of a concealed carry course and written test and has completed forty hours of training on the firing range and passed a weapons qualification test, issued in his or her name and endorsed and affirmed under the penalties of perjury by a duly authorized instructor. Such certificate shall be in addition to the firearms safety course certificate required pursuant to subdivisions four-b and four-c of this section.

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