

# STATE OF NEW YORK

10624

## 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 proof of a  
mental health examination prior to issuing a license to carry a  
firearm

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

1 Section 1. Paragraphs (m) and (n) of subdivision 1 of section 400.00  
2 of the penal law, as amended by chapter 1 of the laws of 2013, are  
3 amended and a new paragraph (o) is added to read as follows:

4 (m) who has not had a guardian appointed for him or her pursuant to  
5 any provision of state law, based on a determination that as a result of  
6 marked subnormal intelligence, mental illness, incapacity, condition or  
7 disease, he or she lacks the mental capacity to contract or manage his  
8 or her own affairs; [~~and~~] (n) concerning whom no good cause exists for  
9 the denial of the license[~~-~~]; and

10 (o) who submits written documentation of a mental health examination  
11 completed by a physician, psychologist or social worker licensed in this  
12 state that supports that such person is competent and not likely to act  
13 in a manner dangerous to public safety.

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

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

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