STATE OF NEW YORK

2126

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. SIMON, CARROLL, COOK, DINOWITZ, GLICK, GRIFFIN -- Multi-Sponsored by -- M. of A. BICHOTTE HERMELYN, COLTON, GOTTFRIED, HYNDMAN, LAVINE, REYES, WALKER, WILLIAMS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the sale of ammunition for assault weapons

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

Section 1. Subdivision 4 of section 270.00 of the penal law, as amended by chapter 180 of the laws of 1997, is amended to read as follows:

4. Sales of ammunition not prohibited. Nothing contained in this section shall be construed to prevent, or interfere in any way with, the sale of ammunition for revolvers or pistols of any kind, or for rifles, shot guns, or other arms, belonging or which may belong to any persons whether as sporting or hunting weapons or for the purpose of protection to them in their homes, or, as they may go abroad; and manufacturers are authorized to continue to manufacture, and wholesalers and dealers to continue to deal in and freely to sell ammunition to all such persons for such purposes. **Provided, however, the sale of ammunition for assault weapons, as defined by subdivision twenty-two of section 265.00 of this title, shall be limited to two times the capacity of an authorized weapon over a one hundred twenty day period. For purposes of this subdivision, "authorized weapon" shall mean a weapon registered in accordance with subdivision sixteen-a of section 400.00 of this chapter. Notwithstanding any law, rule or regulation to the contrary, the violation of this subdivision shall constitute a class E felony.**

§ 2. This act shall take effect immediately.

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

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