STATE OF NEW YORK

4946

2021-2022 Regular Sessions

IN SENATE

February 19, 2021

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring owners of firearms to obtain liability insurance

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

Section 1. The insurance law is amended by adding a new section 2354 to read as follows:

§ 2354. Firearm owners insurance policies. 1. Any person in this state who shall own a firearm shall, prior to such ownership, obtain and continuously maintain a policy of liability insurance in an amount not less than one million dollars specifically covering any damages resulting from any negligent acts involving the use of such firearm while it is owned by such person. Failure to maintain such insurance shall result in the immediate revocation of such owner's registration, license and any other privilege to own such firearm.

2. For purposes of this section, a person shall be deemed to be the owner of a firearm if such firearm is lost or stolen until such loss or theft is reported to the police department or sheriff which has jurisdiction in the county, town, city or village in which such owner resides.

3. Any person who owns a firearm on the effective date of this section shall obtain the insurance required by this section within thirty days of such effective date.

4. The provisions of this section shall not apply to any peace officer, as defined in section 2.10 of the criminal procedure law, police officer, as defined in subdivision thirty-four of section 1.20 of the criminal procedure law, or any member of the military who is on "active duty" or "in active military service of the United States" as defined in section one of the military law, who is authorized to carry a firearm.

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

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5. The department is hereby authorized and directed to promulgate rules and regulations necessary to carry out the provisions of this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.