STATE OF NEW YORK

5000--B

Cal. No. 865

2021-2022 Regular Sessions

IN SENATE

February 22, 2021

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to the purchase and disposal of firearms, rifles and shotguns

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

Section 1. Section 265.17 of the penal law, as amended by chapter 1 of the laws of 2013, is amended to read as follows:

§ 265.17 Criminal purchase or disposal of a weapon.

A person is guilty of criminal purchase or disposal of a weapon when:

1. Knowing that he or she is prohibited by law from possessing a firearm, rifle or shotgun because of a prior conviction or because of some other disability which would render him or her ineligible to lawfully possess a firearm, rifle or shotgun in this state, **or knowing that he or she is the subject of an outstanding warrant of arrest issued upon the alleged commission of a felony or serious offense,** such person purchases **or otherwise acquires** a firearm, rifle or shotgun from another person; or

2. Knowing that it would be unlawful for another person to possess a firearm, rifle or shotgun, **or knowing that another person is the subject of an outstanding warrant of arrest issued upon the alleged commission of a felony or serious offense,** he or she purchases **or otherwise acquires** a firearm, rifle or shotgun for, on behalf of, or for the use of such other person; or

3. Knowing that another person is prohibited by law from possessing a firearm, rifle or shotgun because of a prior conviction or because of some other disability which would render him or her ineligible to

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

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lawfully possess a firearm, rifle or shotgun in this state, **or knowing that another person is the subject of an outstanding warrant of arrest issued upon the alleged commission of a felony or serious offense,** a person disposes of a firearm, rifle or shotgun to such other person.

Criminal purchase or disposal of a weapon is a class D felony.

§ 2. This act shall take effect July 1, 2021.