

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:

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 two new paragraphs (o) and (p) are 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~~[-]~~; (o) in any county other than the county of
10 Westchester, who has successfully completed a firearms safety course and
11 test as evidenced by a certificate of completion issued in his or her
12 name and endorsed and affirmed under the penalties of perjury by a duly
13 authorized instructor, except that: (i) persons who are honorably
14 discharged from the United States army, navy, marine corps or coast
15 guard, or of the national guard of the state of New York, and produce
16 evidence of official qualification in firearms during the term of
17 service are not required to have completed those hours of a firearms
18 safety course pertaining to the safe use, carrying, possession, mainte-
19 nance and storage of a firearm; and (ii) persons who were licensed to
20 possess a pistol or revolver prior to the effective date of this para-
21 graph are not required to have completed a firearms safety course and
22 test; and (p) when such applicant is applying for a license to carry,
23 who has successfully completed a concealed carry course and written test
24 in addition to the firearms safety course and has completed forty hours
25 of training on the firing range and passed a firearm qualification test
26 as evidenced by a certificate of completion issued in his or her name
27 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.

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

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

14 4-c. Firearms safety course certificate. In any county other than the
15 county of Westchester, before such license is issued, such licensing
16 officer shall require that the applicant submit a certificate of
17 successful completion of a firearms safety course and test issued in his
18 or her name and endorsed and affirmed under the penalties of perjury by
19 a duly authorized instructor.

20 4-d. Concealed carry course certificate. Before a license to carry is
21 issued, such licensing officer shall require that the applicant submit a
22 certificate of successful completion of a concealed carry course and
23 written test and has completed forty hours of training on the firing
24 range and passed a weapons qualification test, issued in his or her name
25 and endorsed and affirmed under the penalties of perjury by a duly
26 authorized instructor. Such certificate shall be in addition to the
27 firearms safety course certificate required pursuant to subdivisions
28 four-b and four-c of this section.

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