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 Assembly, do enact as follows:

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

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

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

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

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

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