

# STATE OF NEW YORK

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3614

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

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

AN ACT to amend the penal law, in relation to gun license applications not containing warnings

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

1 Section 1. Paragraph (a) of subdivision 3 of section 400.00 of the  
2 penal law, as amended by chapter 1 of the laws of 2013, is amended to  
3 read as follows:

4 (a) Applications shall be made and renewed, in the case of a license  
5 to carry or possess a pistol or revolver, to the licensing officer in  
6 the city or county, as the case may be, where the applicant resides, is  
7 principally employed or has his or her principal place of business as  
8 merchant or storekeeper; and, in the case of a license as gunsmith or  
9 dealer in firearms, to the licensing officer where such place of busi-  
10 ness is located. Blank applications shall, except in the city of New  
11 York, be approved as to form by the superintendent of state police. No  
12 applications, or the literature given therewith, shall be approved,  
13 distributed or used in any capacity which contain an explicit written  
14 warning regarding ownership or use of a firearm. An application shall  
15 state the full name, date of birth, residence, present occupation of  
16 each person or individual signing the same, whether or not he or she is  
17 a citizen of the United States, whether or not he or she complies with  
18 each requirement for eligibility specified in subdivision one of this  
19 section and such other facts as may be required to show the good charac-  
20 ter, competency and integrity of each person or individual signing the  
21 application. An application shall be signed and verified by the appli-  
22 cant. Each individual signing an application shall submit one photograph  
23 of himself or herself and a duplicate for each required copy of the  
24 application. Such photographs shall have been taken within thirty days  
25 prior to filing the application. In case of a license as gunsmith or

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

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1 dealer in firearms, the photographs submitted shall be two inches  
2 square, and the application shall also state the previous occupation of  
3 each individual signing the same and the location of the place of such  
4 business, or of the bureau, agency, subagency, office or branch office  
5 for which the license is sought, specifying the name of the city, town  
6 or village, indicating the street and number and otherwise giving such  
7 apt description as to point out reasonably the location thereof. In such  
8 case, if the applicant is a firm, partnership or corporation, its name,  
9 date and place of formation, and principal place of business shall be  
10 stated. For such firm or partnership, the application shall be signed  
11 and verified by each individual composing or intending to compose the  
12 same, and for such corporation, by each officer thereof.  
13 § 2. This act shall take effect immediately.