

# STATE OF NEW YORK

---

3624

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

---

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 processing of firearms license applications for victims of domestic abuse who have been issued an order of protection

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

1 Section 1. Subdivision 4-a of section 400.00 of the penal law, as  
2 added by chapter 233 of the laws of 1980, is amended to read as follows:

3 4-a. (a) Processing of license applications. Applications for licenses  
4 shall be accepted for processing by the licensing officer at the time of  
5 presentment. Except upon written notice to the applicant specifically  
6 stating the reasons for any delay, in each case the licensing officer  
7 shall act upon any application for a license pursuant to this section  
8 within six months of the date of presentment of such an application to  
9 the appropriate authority. Such delay may only be for good cause and  
10 with respect to the applicant. In acting upon an application, the  
11 licensing officer shall either deny the application for reasons specif-  
12 ically and concisely stated in writing or grant the application and  
13 issue the license applied for.

14 (b) In the event that an applicant is an individual protected by an  
15 order of protection issued due to such person being a victim of a family  
16 offense, as described in subdivision one of section 530.11 of the crimi-  
17 nal procedure law and the applicant presents the order of protection to  
18 the licensing officer on the date of presentment, the licensing officer  
19 shall act upon the application for a license pursuant to this section  
20 within fourteen calendar days of the date of presentment of such an  
21 application to the appropriate authority.

22 § 2. On the day this act become a law, the secretary of state shall  
23 send a copy of this law by mail to each county clerk in the state.

24 § 3. This act shall take effect immediately; provided, however, that  
25 section one of this act shall take effect on the fourteenth day after it  
26 shall have become a law.

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

LBD07679-01-1