

# STATE OF NEW YORK

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7760

## IN SENATE

January 11, 2022

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

AN ACT to amend the executive law, in relation to requiring the division of criminal justice services and the division of state police to publish quarterly reports providing information related to firearms, rifles and shotguns used in the commission of crimes in the state of New York; and to repeal section 837-w of the executive law relating thereto

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

1 Section 1. Section 837-w of the executive law, as added by a chapter  
2 of the laws of 2021 amending the executive law relating to requiring the  
3 division of criminal justice services and the division of state police  
4 to publish quarterly reports providing information related to firearms,  
5 rifles and shotguns used in the commission of crimes in the state of New  
6 York, as proposed in legislative bills numbers S. 1251 and A. 7243, is  
7 REPEALED.

8 § 2. Section 230 of the executive law is amended by adding a new  
9 subdivision 6 to read as follows:

10 6. (a) The division of state police, in consultation with the division  
11 of criminal justice services, shall publish quarterly reports on their  
12 respective websites with information related to firearms, rifles and  
13 shotguns used in the commission of crimes in the state of New York,  
14 including but not limited to, information pertaining to the county and  
15 state of origin of the firearm, rifle or shotgun, the county and state  
16 where the firearm, rifle or shotgun was purchased, whether the firearm,  
17 rifle or shotgun was purchased by the perpetrator of the crime or by  
18 another individual, and whether the perpetrator had a license or permit  
19 to possess such firearm, rifle or shotgun.

20 (b) Each political subdivision, municipality, commission, agency,  
21 office, department, board and division in the state, to the extent not  
22 inconsistent with other provisions of law, shall cooperate fully with  
23 the division of state police and the division of criminal justice  
24 services and shall furnish such information and assistance, in the form

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

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1 and manner specified by the division of state police and the division of  
2 criminal justice services, as may be required in the performance of  
3 their function under this subdivision. If such information is not readi-  
4 ly available or accessible, the relevant local law enforcement agency  
5 will make efforts to obtain such information, including but not limited  
6 to the reporting requirements set forth in subdivision five of this  
7 section. Such information shall be provided to the extent allowable by  
8 federal, state or any other applicable law.

9 § 3. This act shall take effect on the same date and in the same  
10 manner as a chapter of the laws of 2021 amending the executive law  
11 relating to requiring the division of criminal justice services and the  
12 division of state police to publish quarterly reports providing informa-  
13 tion related to firearms, rifles and shotguns used in the commission of  
14 crimes in the state of New York, as proposed in legislative bills  
15 numbers S. 1251 and A. 7243, takes effect; provided, however, that  
16 section two of this act shall take effect October 1, 2022.