

STATE OF NEW YORK

4859

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. BARCLAY, HAWLEY, MORINELLO, REILLY, BYRNES, DeSTEFANO, SIMPSON, GALLAHAN, LEMONDES, BLANKENBUSH, J. M. GIGLIO, BRABENEC -- Multi-Sponsored by -- M. of A. K. BROWN, MANKTELOW -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to licenses to carry and possess firearms for police officers

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

1 Section 1. Subdivision 4-b of section 400.00 of the penal law, as
2 amended by chapter 371 of the laws of 2022, is amended to read as
3 follows:

4 4-b. Processing of license applications. (a) Applications for
5 licenses shall be accepted for processing by the licensing officer at
6 the time of presentment. Except upon written notice to the applicant
7 specifically stating the reasons for any delay, in each case the licens-
8 ing officer shall act upon any application for a license pursuant to
9 this section within six months of the date of presentment of such an
10 application to the appropriate authority. Such delay may only be for
11 good cause and with respect to the applicant. In acting upon an applica-
12 tion, the licensing officer shall either deny the application for
13 reasons specifically and concisely stated in writing or grant the appli-
14 cation and issue the license applied for. A police officer who submits
15 an application containing a certification or attestation from the law
16 enforcement agency or department from which he or she is employed which
17 states he or she is in good standing, shall be presumptive evidence as
18 to the fitness and qualification to carry and possess firearms. The
19 licensing authority with jurisdiction in the county or city having a
20 population of less than one million, shall issue a license to carry and
21 possess a pistol or revolver pursuant to this section within sixty days
22 of a police officer applicant's submission and such license shall

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

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1 authorize the licensee to carry and possess firearms in every county and
2 city in this state.

3 (b) For the purposes of this section, "police officer" shall mean a
4 police officer, as defined in subdivision thirty-four of section 1.20 of
5 the criminal procedure law.

6 § 2. This act shall take effect immediately.