

# STATE OF NEW YORK

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1655

2023-2024 Regular Sessions

## IN SENATE

January 13, 2023

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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 requiring application for a license to carry or possess a pistol or revolver to be acted upon within 180 days of the receipt thereof

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 212 of the laws of 2022, is amended to  
3 read as follows:

4 (a) (i) Applications shall be made and renewed, in the case of a  
5 license to carry or possess a pistol or revolver or to purchase or take  
6 possession of a semiautomatic rifle, to the licensing officer in the  
7 city or county, as the case may be, where the applicant resides, is  
8 principally employed or has his or her principal place of business as  
9 merchant or storekeeper; and, in the case of a license as gunsmith or  
10 dealer in firearms, to the licensing officer where such place of busi-  
11 ness is located. Blank applications shall, except in the city of New  
12 York, be approved as to form by the superintendent of state police. An  
13 application shall state the full name, date of birth, residence, present  
14 occupation of each person or individual signing the same, whether or not  
15 he or she is a citizen of the United States, whether or not he or she  
16 complies with each requirement for eligibility specified in subdivision  
17 one of this section and such other facts as may be required to show the  
18 good character, competency and integrity of each person or individual  
19 signing the application. An application shall be signed and verified by  
20 the applicant. Each individual signing an application shall submit one  
21 photograph of himself or herself and a duplicate for each required copy  
22 of the application. Such photographs shall have been taken within thirty  
23 days prior to filing the application. In case of a license as gunsmith  
24 or dealer in firearms, the photographs submitted shall be two inches

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

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

12 (ii) In the case of each application for the issuance or renewal of a  
13 license to carry or possess a pistol or revolver, the licensing officer  
14 shall provide written notice to the applicant of the approval or denial  
15 of such application within one hundred eighty days of the receipt of the  
16 application by the appropriate county or city. In the event such notice  
17 is not provided within one hundred eighty days, the county or city shall  
18 provide to the applicant, a refund of all fees and charges associated  
19 with the submission of the application, unless the failure to provide  
20 timely notice was due to a factor or factors beyond the control of the  
21 city or county and the licensing officer.

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