

STATE OF NEW YORK

2446

2023-2024 Regular Sessions

IN SENATE

January 20, 2023

Introduced by Sens. GOUNARDES, KRUEGER -- 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 establishing the crime of unlawful storage of a firearm leading to use in the commission of a crime

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

1 Section 1. The penal law is amended by adding a new section 265.46 to
2 read as follows:

3 § 265.46 Unlawful storage of a firearm leading to use in the commission
4 of a crime.

5 A person is guilty of unlawful storage of a firearm leading to use in
6 the commission of a crime when a person fails to safely store a rifle,
7 shotgun or firearm as required pursuant to section 265.45 of this arti-
8 cle, and such rifle, shotgun or firearm is used in the commission of a
9 crime by another individual which reasonably would have been prevented
10 if such rifle, shotgun or firearm was stored in accordance with section
11 265.45 of this article.

12 Unlawful storage of a firearm leading to use in the commission of a
13 crime is a class E felony.

14 § 2. This act shall take effect immediately.

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

LBD05716-01-3