STATE OF NEW YORK

4470

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

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 reciprocity for pistol permit applications for military personnel

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

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

4-b. Processing of license applications. Applications for licenses shall be accepted for processing by the licensing officer at the time of presentment. Except upon written notice to the applicant specifically stating the reasons for any delay, in each case the licensing officer shall act upon any application for a license pursuant to this section within six months of the date of presentment of such an application to the appropriate authority. Such delay may only be for good cause and with respect to the applicant. In acting upon an application, the licensing officer shall either deny the application for reasons specifically and concisely stated in writing or grant the application and issue the license applied for. **An application for a license pursuant to this section for any active member of the armed forces of the United States shall be acted upon by the licensing officer within sixty days of the date of submission of such an application to the appropriate authority provided such active member of the armed forces is duly licensed to carry a pistol or firearm by another jurisdiction within the United States. Nothing shall proscribe the issuing of a license pursuant to this section so long as the applicant who is an active member of the armed forces, submits the appropriate documentation accompanying the application and submits proof of a previously obtained license issued by another state.**

§ 2. The penal law is amended by adding a new section 400.15 to read as follows:

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

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§ 400.15 Reciprocity for qualified military personnel.

1. Notwithstanding any other provision of law to the contrary, any active member of the armed forces of the United States who is duly licensed to carry a pistol or firearm by another jurisdiction within the United States shall be allowed to carry such pistol or firearm within New York state for a period of time not to exceed ninety days, and for the period of time an application is pending under section 400.00 of this article.

2. Persons carrying a firearm under the provisions of this section shall be required to: (a) carry the out-of-state permit together with valid military identification whenever the person is carrying the pistol or firearm and (b) disclose to any law enforcement officer that the person holds a valid permit and is carrying a pistol or firearm when approached or addressed by the officer, and shall display both the permit and the proper military identification upon the request of a law enforcement officer.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law; provided, however, that section one of this act shall take effect on the same date and in the same manner as chapter 371 of the laws of 2022, takes effect.