STATE OF NEW YORK

552

2023-2024 Regular Sessions

IN SENATE

January 5, 2023

Introduced by Sen. THOMAS -- 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 permitting certain federal law enforcement officers and retired officers to possess firearms, rifles and shotguns in restricted and sensitive locations

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

Section 1. Paragraph (j) of subdivision 3 of section 265.01-e of the penal law, as added by chapter 371 of the laws of 2022, is amended and a new paragraph (k) is added to read as follows:

(j) persons operating a program in a sensitive location out of their residence, as defined by this section, which is licensed, certified, authorized, or funded by the state or a municipality, so long as such possession is in compliance with any rules or regulations applicable to the operation of such program and use or storage of firearms[~~.~~]**; or**

(k) retired federal law enforcement officers who obtain a license for a pistol or revolver through their local licensing authority.

§ 2. Paragraph (g) of subdivision 2 of section 265.01-d of the penal law, as added by chapter 371 of the laws of 2022, is amended and two new paragraphs (h) and (i) are added to read as follows:

(g) persons lawfully engaged in hunting activity[~~.~~]**;**

(h) consistent with federal law, law enforcement officers who qualify to carry under the federal law enforcement officers safety act, 18 U.S.C. 926c; or

(i) retired federal law enforcement officers who obtain a license for a pistol or revolver through their local licensing authority.

§ 3. Section 265.00 of the penal law is amended by adding a new subdivision 36 to read as follows:

36. "Federal law enforcement officer" means any officer, agent, or employee of the United States authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of federal law and who is authorized to carry a gun in the performance of that duty.

§ 4. This act shall take effect immediately.

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

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