

STATE OF NEW YORK

868

2023-2024 Regular Sessions

IN SENATE

January 6, 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 gun license applications not containing warnings

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) Applications shall be made and renewed, in the case of a license
5 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. No
13 applications, or the literature given therewith, shall be approved,
14 distributed or used in any capacity which contain an explicit written
15 warning regarding ownership or use of a firearm. An application shall
16 state the full name, date of birth, residence, present occupation of
17 each person or individual signing the same, whether or not he or she is
18 a citizen of the United States, whether or not he or she complies with
19 each requirement for eligibility specified in subdivision one of this
20 section and such other facts as may be required to show the good charac-
21 ter, competency and integrity of each person or individual signing the
22 application. An application shall be signed and verified by the appli-
23 cant. Each individual signing an application shall submit one photograph
24 of himself or herself and a duplicate for each required copy of the
25 application. Such photographs shall have been taken within thirty days

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

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

14 § 2. This act shall take effect immediately.