

STATE OF NEW YORK

9780

IN SENATE

May 30, 2024

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act, in relation to allowing access to juvenile delinquency records for the purposes of a firearm background check

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

1 Section 1. Subdivision 4 of section 380.1 of the family court act, as
2 amended by chapter 37 of the laws of 2016, is amended to read as
3 follows:

4 4. Notwithstanding any other provision of law, where a finding of
5 juvenile delinquency has been entered, upon request, the records
6 pertaining to such case shall be made available to the commissioner of
7 mental health or the commissioner of the office for people with develop-
8 mental disabilities, as appropriate; the case review panel; [~~and~~] the
9 attorney general pursuant to section 10.05 of the mental hygiene law;
10 the National Instant Criminal Background Check System in connection with
11 a background check conducted on a person under twenty-two years of age
12 pursuant to 18 U.S.C. § 922(t)(1)(C) and 34 U.S.C. § 40901(1); and the
13 division of state police in connection with a background check conducted
14 on a person under twenty-two years of age pursuant to section two
15 hundred twenty-eight of the executive law.

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

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

LBD15804-02-4