

STATE OF NEW YORK

7489

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Codes

AN ACT to amend the penal law and the criminal procedure law, in
relation to the regulation of three-dimensional printed firearms

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

1 Section 1. Subdivision 1 of section 265.10 of the penal law, as sepa-
2 rately amended by chapters 34, 130 and 146 of the laws of 2019, is
3 amended and a new subdivision 10 is added to read as follows:

4 1. Any person who manufactures or causes to be manufactured, including
5 but not limited to using a three-dimensional printer to manufacture or
6 cause to be manufactured, any machine-gun, assault weapon, large capaci-
7 ty ammunition feeding device, ghost gun, unfinished frame or receiver,
8 firearm silencer, magazine, or major component of a firearm, rifle or
9 shotgun or disguised gun is guilty of a class D felony. Any person who
10 manufactures or causes to be manufactured any rapid-fire modification
11 device is guilty of a class E felony. Any person who manufactures or
12 causes to be manufactured any switchblade knife, pilum ballistic knife,
13 metal knuckle knife, undetectable knife, billy, blackjack, bludgeon,
14 plastic knuckles, metal knuckles, Kung Fu star, chuka stick, sandbag,
15 sandclub or slungshot is guilty of a class A misdemeanor.

16 10. Any person who intentionally sells, distributes, or disposes of,
17 by any means, including via the internet, digital instructions in the
18 form of computer-aided design files, standard triangle/tessellation
19 language files, or other code or instructions that may be used to
20 program a three-dimensional printer to manufacture or produce any
21 machine-gun, assault weapon, large capacity ammunition feeding device,
22 disguised gun, ghost gun, unfinished frame or receiver, firearm silenc-
23 er, magazine, or major component of a firearm, rifle or shotgun is guilt-
24 ty of a class A misdemeanor.

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

LBD11376-01-3

1 § 2. Section 265.00 of the penal law is amended by adding a new subdi-
2 vision 36 to read as follows:

3 36. "Three-dimensional printer" means a computer or computer-driven
4 machine or device capable of producing a three-dimensional object from a
5 digital model.

6 § 3. Subdivision 8 of section 700.05 of the criminal procedure law is
7 amended by adding a new paragraph (w) to read as follows:

8 (w) Manufacture, transport, disposition and defacement of weapons and
9 dangerous instruments and appliances as provided in subdivision ten of
10 section 265.10 of the penal law.

11 § 4. Severability. If any provision of this act, or any application of
12 any provision of this act, is held to be invalid, that shall not affect
13 the validity or effectiveness of any other provision of this act, or of
14 any other application of any provision of this act, which can be given
15 effect without that provision or application; and to that end, the
16 provisions and applications of this act are severable.

17 § 5. This act shall take effect on the sixtieth day after it shall
18 have become a law.