

STATE OF NEW YORK

140

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. RYAN -- 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 revoking a license to carry, possess, repair and dispose of firearms for a conviction for failure to safely store rifles, shotguns, and firearms

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

1 Section 1. Paragraph (a) of subdivision 11 of section 400.00 of the
2 penal law, as amended by chapter 371 of the laws of 2022, is amended to
3 read as follows:
4 (a) The conviction of a licensee anywhere of a felony or serious
5 offense or a conviction of a licensee under section 265.45 or 265.50 of
6 this chapter or a licensee at any time becoming ineligible to obtain a
7 license, including engaging in conduct that would have resulted in the
8 denial of a license, under this section shall operate as or be grounds
9 for, a revocation of the license. A license may be revoked or suspended
10 as provided for in section 530.14 of the criminal procedure law or
11 section eight hundred forty-two-a of the family court act. Except for a
12 license issued pursuant to section 400.01 of this article, a license may
13 be revoked and cancelled at any time in the city of New York, and in the
14 counties of Nassau and Suffolk, by the licensing officer, and elsewhere
15 than in the city of New York by any judge or justice of a court of
16 record; a license issued pursuant to section 400.01 of this article may
17 be revoked and cancelled at any time by the licensing officer or any
18 judge or justice of a court of record. A license to engage in the busi-
19 ness of dealer may be revoked or suspended for any violation of the
20 provisions of article thirty-nine-BB of the general business law. The
21 official revoking a license shall give written notice thereof without
22 unnecessary delay to the executive department, division of state police,
23 Albany, and shall also notify immediately the duly constituted police

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

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1 authorities of the locality. The licensing officer shall revoke any
2 license issued in which an applicant knowingly made a material false
3 statement on the application. Notice of a revocation under this subdivi-
4 sion shall be issued in writing and shall include the basis for the
5 determination, which shall be supported by a preponderance of the
6 evidence. Such notice shall also include information regarding the abil-
7 ity to appeal such decision in accordance with subdivision four-a of
8 this section.
9 § 2. This act shall take effect on the sixtieth day after it shall
10 have become a law.