

# 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:

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

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

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

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

14 (g) persons lawfully engaged in hunting activity[-];

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

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

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

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

27 § 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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