STATE OF NEW YORK

7364--A

2023-2024 Regular Sessions

IN SENATE

May 22, 2023

Introduced by Sens. HOYLMAN-SIGAL, CLEARE, GOUNARDES, HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

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

1. Any person who manufactures or causes to be manufactured any machine-gun, assault weapon, large capacity ammunition feeding device**, ghost gun, unfinished frame or receiver, firearm silencer, magazine, or major component of a firearm, rifle or shotgun** or disguised gun is guilty of a class D felony. Any person who manufactures or causes to be manufactured any rapid-fire modification device is guilty of a class E felony. Any person who manufactures or causes to be manufactured any switchblade knife, pilum ballistic knife, metal knuckle knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, Kung Fu star, chuka stick, sandbag, sandclub or slungshot is guilty of a class A misdemeanor.

10. Any person who intentionally sells, distributes, or disposes of, by any means, including via the internet, digital instructions in the form of computer-aided design files, standard triangle/tessellation language files, or other code or instructions that may be used to program a three-dimensional printer to manufacture or produce any machine-gun, assault weapon, large capacity ammunition feeding device, disguised gun, ghost gun, unfinished frame or receiver, firearm silencer, magazine, or major component of a firearm, rifle or shotgun, to a

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

LBD11376-02-4

person in New York who is not registered or licensed as a gunsmith as provided for in section 400.00 of this chapter with a Type 7 Federal Firearms License, is guilty of a class A misdemeanor.

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

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

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

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

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

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