STATE OF NEW YORK

7645

2023-2024 Regular Sessions

IN SENATE

August 30, 2023

Introduced by Sen. WALCZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to repeal certain provisions of the executive law establishing a fee for background checks on certain firearm and ammunition purchases; and to amend the state finance law, in relation to the source of funds for the background check fund

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

Section 1. Subdivision 5 of section 228 of the executive law is REPEALED.

§ 2. Subdivisions 2 and 5 of section 99-pp of the state finance law, as added by chapter 371 of the laws of 2022, are amended to read as follows:

2. Such fund shall consist of all revenues received by the comptroller, [~~pursuant to the provisions of section two hundred twenty-eight of the executive law and all other~~] consisting of moneys appropriated thereto from any other fund or source pursuant to law. Nothing contained in this section shall prevent the state from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

5. [~~(a)~~] Any unexpended and unencumbered moneys remaining in the background check fund at the end of a fiscal year shall remain in the background check fund and shall not be credited to any other fund.

[~~(b) To the extent practicable, any such remaining funds shall be used to reduce the amount of the fee described in subdivision two of section two hundred twenty-eight of the executive law.~~]

§ 3. 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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