STATE OF NEW YORK

8775

IN SENATE

March 11, 2024

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

AN ACT to amend the executive law, in relation to requiring the disposal of firearms acquired pursuant to a gun buyback program

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

Section 1. Subdivision 5 of section 233 of the executive law, as added by chapter 139 of the laws of 2019, is amended and two new subdivisions 6 and 7 are added to read as follows:

5. For purposes of this section**:**

(a) "agency" means the police force or department of any county, city, town, or village or a county sheriff**; and**

(b) "guns, rifles, and firearms" shall include but not be limited to the barrel, trigger, grip, slide, stock, springs as well as parts of the gun, rifle, and firearm within the frame.

6. All agencies participating in a gun buyback program authorized under this section shall dispose of all purchased guns, rifles, and firearms in the following manner:

(a) Such guns, rifles, and firearms shall be disassembled and destroyed.

(b) A video shall be made and stored of such disassembling and destruction of the guns, rifles, and firearms.

(c) A log shall be created of all guns, rifles, and firearms processed by serial and case number. Such serial and case number shall be easily visible on the video of such disassembling and destruction of such guns, rifles, and firearms.

(d) Such log and video shall be filed with the agency conducting such buyback program and with the department of criminal justice services.

7. (a) No person shall sell or transfer, or modify for sale or transfer, any firearm, rifle, or shotgun acquired as part of a gun buyback program authorized under this section.

(b) Any person who violates the provisions of this subdivision shall be guilty of a class E felony.

§ 2. 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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