STATE OF NEW YORK

1191

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. BORES, GLICK, EPSTEIN, SHIMSKY, LEVENBERG, PAULIN, SIMON, GONZALEZ-ROJAS, MEEKS -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to defining personalized handguns and requiring the division of criminal justice services to certify the technological viability of personalized handguns and to establish requirements related to the sale of personalized handguns

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

- 1 Section 1. This act shall be known and may be cited as the "safer weapons, safer homes act".
- 3 § 2. Section 835 of the executive law is amended by adding two new 4 subdivisions 12 and 13 to read as follows:
- 5 12. "Personalized handqun" means a pistol or revolver which incorpo-6 rates within its design a permanent programmable feature as part of its 7 manufacture that cannot be deactivated and renders the personalized handqun reasonably resistant to being fired except when activated by the 8 lawful owner or other user authorized by the lawful owner. No make or 9 10 model of a pistol or revolver shall be deemed to be a "personalized 11 handgun" unless the division of criminal justice services has determined 12 the personalized handgun meets the standards established pursuant to 13 section eight hundred thirty-seven-y of this article.
- 14 <u>13. "Authorized user" means the owner of a personalized handgun or a</u> 15 <u>person to whom such owner has given consent to use the personalized</u> 16 <u>handgun.</u>
- 17 \S 3. The executive law is amended by adding a new section 837-y to 18 read as follows:
- 19 § 837-y. Personalized handguns; technological viability and require-20 ments. 1. As used in this section, the terms "personalized handgun" and 21 "authorized user" shall have the same meanings as defined in subdivi-

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

LBD02280-01-5

2 A. 1191

3 4

5

6

7

8

16

19

sions twelve and thirteen, respectively, of section eight hundred thirty-five of this article.

- 2. The division or a designee shall within one hundred eighty days of the effective date of this section:
- (a) engage in and complete an investigation to certify the technological viability of personalized handguns; and
- (b) certify or decline to certify that personalized handguns are technologically viable.
- 9 3. Following a certification by the division or a designee that 10 personalized handguns are technologically viable, the division shall:
- 11 (a) within three hundred sixty-five days from the date of certif-12 ication of the viability of such technology by the division or a designee pursuant to subdivision two of this section, establish performance 13 14 standards, qualifying criteria and testing protocols applicable to the 15 examination and verification of personalized handguns.
- (b) within two years from the date of certification of the viability 17 of such technology by the division or a designee pursuant to subdivision two of this section, establish and maintain a roster of all personalized 18 handguns approved for retail sales to the public. Such roster shall be 20 published on the division's website and shall be updated at least every 21 six months. A copy of such roster shall be made available to registered 22 and licensed firearms dealers in the state at least every six months.
- 23 4. The division shall report to the legislature on the technological viability of personalized handguns. The division shall report any find-24 ings to the legislature of any personalized handgun that is not viable 25 and is unable to be certified. 26
- 27 5. The division shall promulgate any rule or regulation as may be 28 necessary to carry out the provisions of this section.
- 29 § 4. This act shall take effect immediately.