

STATE OF NEW YORK

199--B

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. SOLAGES, CHANDLER-WATERMAN, BURDICK, SEAWRIGHT, ROZIC, RAMOS, MEEKS, PAULIN, LASHER, GRIFFIN, SIMON, STECK, LAVINE, ZACCARO, SCHIAVONI, GONZALEZ-ROJAS, COLTON, SHIMSKY, DINOWITZ, ROSENTHAL, TORRES, KASSAY, TAYLOR, HEVESI, R. CARROLL, SIMONE, CRUZ, STERN, ALVAREZ, LUNSFORD, TAPIA, SHRESTHA, STIRPE, CUNNINGHAM, GALLAGHER, WEPRIN, P. CARROLL, REYES, FORREST, SAYEGH, LEVENBERG, BICHOTTE HERME-LYN, GLICK, BORES, BURROUGHS, PHEFFER AMATO, ROMERO, WALKER, WIEDER, JACKSON, JACOBSON, EACHUS, POWERS, ANDERSON, WRIGHT, O'PHARROW, HOOKS, CLARK, McMAHON -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the regulation of pistol converters and convertible pistols

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

1 Section 1. Subdivision 1 of section 265.00 of the penal law is amended
2 and a new subdivision 37 is added to read as follows:

3 1. "Machine-gun" means a weapon of any description, irrespective of
4 size, by whatever name known, loaded or unloaded, from which a number of
5 shots or bullets may be rapidly or automatically discharged from a maga-
6 zine with one continuous pull of the trigger and includes a sub-machine
7 gun, and also includes any convertible pistol that is equipped with a
8 pistol converter.

9 37. "Convertible pistol" means any semi-automatic pistol with a cruci-
10 form trigger bar that can be readily altered by hand or with common
11 household tools so that it can be converted into a machine-gun by the
12 installation or attachment of a pistol converter. As used in this subdi-

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

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1 vision, "cruciform trigger bar" means a component in a semi-automatic
2 pistol that serves as a linkage between the trigger and firing pin and
3 has its sear incorporated in a cross-shaped surface and "common house-
4 hold tools" means screwdrivers, pipe wrenches, pliers, hacksaws, crow-
5 bars, electric drills or rotary tools, hammers, chisels, and crescent
6 wrenches.

7 "Convertible pistol" does not include hammer-fired semi-automatic
8 pistols. A tab or other piece of material on a pistol frame is not
9 sufficient to prevent ready alteration so that the pistol can be
10 converted into a machine-gun by the installation or attachment of a
11 pistol converter and will not prevent such pistol from qualifying as a
12 "convertible pistol" under this subdivision if that tab or other piece
13 of material can be readily removed with common household tools.

14 § 2. Subdivisions 1 and 2 of section 265.10 of the penal law, as
15 amended by chapter 481 of the laws of 2024, are amended and a new subdi-
16 vision 10 is added to read as follows:

17 1. Any person who manufactures or causes to be manufactured any
18 machine-gun, pistol converter, assault weapon, large capacity ammunition
19 feeding device or disguised gun is guilty of a class D felony. Any
20 person who manufactures or causes to be manufactured any rapid-fire
21 modification device is guilty of a class E felony. Any person who manu-
22 factures or causes to be manufactured any switchblade knife, pilum
23 ballistic knife, metal knuckle knife, undetectable knife, billy,
24 blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star,
25 chuka stick, sandbag, sandclub or slungshot is guilty of a class A
26 misdemeanor.

27 2. Any person who transports or ships any machine-gun, pistol convert-
28 er, firearm silencer, assault weapon or large capacity ammunition feed-
29 ing device or disguised gun, or who transports or ships as merchandise
30 five or more firearms, is guilty of a class D felony. Any person who
31 transports or ships any rapid-fire modification device is guilty of a
32 class E felony. Any person who transports or ships as merchandise any
33 firearm, other than an assault weapon, switchblade knife, pilum ballis-
34 tic knife, undetectable knife, billy, blackjack, bludgeon, plastic
35 knuckles, metal knuckles, throwing star, chuka stick, sandbag or slung-
36 shot is guilty of a class A misdemeanor.

37 10. Any person, dealer, firm, partnership, or corporation who disposes
38 of or who transports or ships as merchandise a convertible pistol is
39 guilty of a class D felony.

40 § 3. Section 265.20 of the penal law is amended by adding a new subdi-
41 vision f to read as follows:

42 f. Subdivision ten of section 265.10 of this article shall not apply
43 to the disposition of a convertible pistol to, nor to the transport or
44 shipping as merchandise of a convertible pistol for disposition to the
45 following:

46 1. Persons in the military service of the state of New York when duly
47 authorized by regulations issued by the adjutant general to possess the
48 same.

49 2. Police officers as defined in subdivision thirty-four of section
50 1.20 of the criminal procedure law.

51 3. Peace officers as defined by section 2.10 of the criminal procedure
52 law.

53 4. Persons in the military or other service of the United States, in
54 pursuit of official duty or when duly authorized by federal law, regu-
55 lation or order to possess the same.

1 5. Persons employed in fulfilling defense contracts with the govern-
2 ment of the United States or agencies thereof when possession of the
3 same is necessary for manufacture, transport, installation and testing
4 under the requirements of such contract.

5 6. Persons engaging in the business of gunsmith or dealer in firearms
6 to whom a valid license therefor has been issued pursuant to section
7 400.00 of this chapter.

8 § 4. Subdivision 36 of section 265.00 of the penal law, as added by
9 chapter 429 of the laws of 2024, is amended to read as follows:

10 36. "Pistol converter" means any device or instrument that when
11 installed in or attached to the rear of the slide of a semi-automatic
12 pistol, replaces the backplate, and interferes with the trigger mech-
13 anism and thereby enables the pistol to discharge a number of shots or
14 bullets rapidly or automatically with one continuous pull of the trig-
15 ger.

16 § 5. The superintendent of the division of state police is authorized
17 to promulgate rules, regulations, and policies necessary to effectuate
18 the provisions of this act. Such superintendent shall, prior to the
19 effective date of this act and annually thereafter, publish a list of
20 pistols that the superintendent has determined to be convertible
21 pistols, as defined in section 265.00 of the penal law.

22 § 6. This act shall take effect on the one hundred eightieth day after
23 it shall have become a law. Effective immediately, the addition, amend-
24 ment and/or repeal of any rule or regulation necessary for the implemen-
25 tation of this act on its effective date are authorized to be made and
26 completed on or before such effective date.