

# STATE OF NEW YORK

3840

2025-2026 Regular Sessions

## IN ASSEMBLY

January 30, 2025

Introduced by M. of A. BLANKENBUSH, ANGELINO, BEEPHAN, BENDETT, BRABENEK, E. BROWN, BUTTENSCHON, DeSTEFANO, DiPIETRO, FITZPATRICK, FRIEND, GALLAHAN, GRAY, HAWLEY, JENSEN, LEMONDES, MANKTELOW, MILLER, MORINELLO, PIROZZOLO, SMULLEN, TAGUE -- read once and referred to the Committee on Codes

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:

- 1 Section 1. Subdivision 5 of section 228 of the executive law is  
2 REPEALED.
- 3 § 2. Subdivisions 2 and 5 of section 99-pp of the state finance law,  
4 as added by chapter 371 of the laws of 2022, are amended to read as  
5 follows:
- 6 2. Such fund shall consist of all revenues received by the comp-  
7 troller, [~~pursuant to the provisions of section two hundred twenty eight~~  
8 ~~of the executive law and all other~~] consisting of moneys appropriated  
9 thereto from any other fund or source pursuant to law. Nothing contained  
10 in this section shall prevent the state from receiving grants, gifts or  
11 bequests for the purposes of the fund as defined in this section and  
12 depositing them into the fund according to law.
- 13 5. [~~(a)~~] Any unexpended and unencumbered moneys remaining in the back-  
14 ground check fund at the end of a fiscal year shall remain in the back-  
15 ground check fund and shall not be credited to any other fund.
- 16 [~~(b) To the extent practicable, any such remaining funds shall be used~~  
17 ~~to reduce the amount of the fee described in subdivision two of section~~  
18 ~~two hundred twenty eight of the executive law.~~]
- 19 § 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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