STATE OF NEW YORK

437

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to requiring warnings regarding rifles and shotguns; and to amend a chapter of the laws of 2024 amending the penal law relating to warnings to be posted and provided by firearms dealers, as proposed in legislative bills numbers S.6649 and A. 2882, in relation to making certain technical corrections thereto

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

Section 1. Subdivision 20 of section 400.00 of the penal law, as added by a chapter of the laws of 2024 amending the penal law relating to warnings to be posted and provided by firearms dealers, as proposed in legislative bills numbers S.6649 and A. 2882, is amended to read as follows:

20. Firearms dealers; required warnings. (a) (i) Every person licensed as a gunsmith or a dealer in firearms shall post the following notice at the site where such [~~weapons~~] **rifles, shotguns,** or firearms are sold, displayed or delivered to the purchaser, at the entrance to the site and in at least one additional area where sales occur, conspicuously stating, in no smaller than twenty-six-point type on a sign at least eight and one-half by eleven inches in bold print:

WARNING

ACCESS TO A [~~WEAPON~~] **RIFLE, SHOTGUN,**
OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

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

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IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

(ii) Every firearms dealer shall distribute a notice to the purchaser at the time of each individual sale of a [~~weapon~~] **rifle, shotgun,** or firearm, conspicuously stating, in no smaller than twenty-six-point type and on paper at least eight and one-half by eleven inches in bold print the following warning:

WARNING

ACCESS TO A [~~WEAPON~~] **RIFLE, SHOTGUN,**
OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

(iii) Upon the issuance of or amendment to a **rifle, shotgun, or** firearm [~~or weapon~~] license and/or permit, the licensing officer shall provide the licensee/permittee a written copy of a warning notice conspicuously stating in no smaller than twenty-six-point type and on paper at least eight and one-half by eleven inches in bold print the following warning:

WARNING

ACCESS TO A [~~WEAPON~~] **RIFLE, SHOTGUN,**
OR FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE
RISK OF SUICIDE, DEATH DURING DOMESTIC DISPUTES, AND/OR UNINTENTIONAL
DEATHS TO CHILDREN, HOUSEHOLD MEMBERS AND OTHERS.

IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE NATIONAL SUICIDE PREVENTION LIFELINE AT 988.

(b) No licensing officer, local government, or any employee thereof shall be liable to any person by reason of any injury or damage resulting from the failure of any gunsmith or firearms dealer to comply with this subdivision or in consequence of any act or omission in connection with the implementation or enforcement of this subdivision.

(c) [~~(i) Failure to comply with any provision of this subdivision shall be~~] **Any person, firm, or corporation required to post or distribute warnings pursuant to subparagraph (i) or (ii) of paragraph (a) of this subdivision who fails to post or distribute in the manner provided for in such provisions shall be guilty of** a violation punishable by imprisonment of not more than fifteen days or by a fine of not more than one thousand dollars, or both. Each day that a violation continues shall be deemed a separate offense.

[~~(ii) The provisions of this subdivision shall be enforced within each municipality by the applicable local police force, including town, city and village police departments which officers are authorized to issue appearance tickets. Appearance tickets shall be served personally.~~]

(d) The provisions of this subdivision shall not supersede any local law or ordinance that imposes stricter disclosure or notice requirements; and notices required by this subdivision shall be in addition to

any other notices required by any other federal, state or local law, ordinance, rule or regulation.

§ 2. Section 2 of a chapter of the laws of 2024 amending the penal law relating to warnings to be posted and provided by firearms dealers, as proposed in legislative bills numbers S.6649 and A. 2882, is renumbered section 3 and a new section 2 is added to read as follows:

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the penal law relating to warnings to be posted and provided by firearms dealers, as proposed in legislative bills numbers S.6649 and A. 2882, takes effect.