# STATE OF NEW YORK

894

2025-2026 Regular Sessions

# IN ASSEMBLY

**(Prefiled)**

January 8, 2025

Introduced by M. of A. BLANKENBUSH, ANGELINO, BRABENEC, DeSTEFANO, DiPIETRO, HAWLEY, McDONOUGH, MILLER, SMULLEN, TAGUE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to authorizing the transfer of certain weapons from an estate to an immediate member of the decedent's family

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

Section 1. Paragraph (g) of subdivision 22 of section 265.00 of the penal law is amended by adding a new subparagraph (vii) to read as follows:

**(vii) any weapon legally possessed and validly registered pursuant to subdivision sixteen-a of section 400.00 of this chapter prior to such person's death and bequeathed or passed through intestacy to an immediate family member of the deceased. Such weapons shall be subject to the provisions of paragraph (h) of this subdivision. For purposes of this subparagraph, immediate family member means a child or spouse;**

§ 2. Paragraph (h) of subdivision 22 of section 265.00 of the penal law, as amended by chapter 209 of the laws of 2022, is amended to read as follows:

(h) **(i)** Any weapon defined in paragraph (e) or (f) of this subdivision may only be sold to, exchanged with or disposed of to a purchaser authorized to possess such weapons or to an individual or entity outside of the state provided that any such transfer to an individual or entity outside of the state must be reported to the entity wherein the weapon is registered within seventy-two hours of such transfer. An individual who transfers any such weapon to an individual inside New York state or without complying with the provisions of this paragraph shall be guilty of a class A misdemeanor.

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

LBD03306-01-5

**(ii) Notwithstanding the provisions of subparagraph (i) of this paragraph, any weapon defined in paragraph (e) or (f) of this subdivision that was legally possessed and validly registered by an individual prior to such individual's death may be transferred by the estate of such individual to one of their immediate family members. For purposes of this subparagraph, immediate family member means a child or spouse.**

§ 3. This act shall take effect immediately.