STATE OF NEW YORK

223

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to exemptions for self-defense spray devices

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

Section 1. Subparagraph (b) of paragraph 14 of subdivision a of section 265.20 of the penal law, as added by chapter 354 of the laws of 1996, is amended to read as follows:

(b) The exemption under this paragraph shall not apply to a person who:

(i) is less than eighteen years of age**, unless the minor is at least sixteen years of age and has been granted an order of protection or has been the victim of a crime, including where a criminal proceeding or investigation is still ongoing, but the disposition of such investigation shall not preclude such minor from lawfully possessing a self-defense spray device**; or

(ii) has been previously convicted in this state of a felony or any assault; or

(iii) has been convicted of a crime outside the state of New York which if committed in New York would constitute a felony or any assault crime.

§ 2. 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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