STATE OF NEW YORK

8460

2025-2026 Regular Sessions

IN SENATE

July 18, 2025

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

AN ACT to amend the penal law, in relation to including flare guns in criminal possession of a weapon in the fourth degree

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

Section 1. Section 265.00 of the penal law is amended by adding a new subdivision 37 to read as follows:

37. "Flare gun" means any handheld signaling device, Very pistol, or signal pistol designed and purposed to fire a pyrotechnic flare, whether single-shot or multi-shot, and whether marketed for maritime, emergency, or recreational use.

§ 2. Subdivision 2 of section 265.01 of the penal law as amended by chapter 146 of the laws of 2019, is amended to read as follows:

(2) [~~He or she~~] **Such person** possesses any dagger, dangerous knife, dirk, machete, razor, stiletto, imitation pistol, undetectable knife**, flare gun** or any other dangerous or deadly instrument or weapon with intent to use the same unlawfully against another; or

§ 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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