

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:

1 Section 1. Subparagraph (b) of paragraph 14 of subdivision a of
2 section 265.20 of the penal law, as added by chapter 354 of the laws of
3 1996, is amended to read as follows:

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

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

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

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

17 § 2. This act shall take effect immediately.

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

LBD01082-01-5