

STATE OF NEW YORK

399--A

Cal. No. 1247

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. MYRIE, ADDABBO, CLEARE, COMRIE, FAHY, FERNANDEZ, GOUNARDES, HARCKHAM, HOYLMAN-SIGAL, JACKSON, KAVANAGH, LIU, MAY, MAYER, SALAZAR, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to the regulation of pistol converters and convertible pistols

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

1 Section 1. Subdivision 1 of section 265.00 of the penal law is amended
2 and a new subdivision 37 is added to read as follows:

3 1. "Machine-gun" means a weapon of any description, irrespective of
4 size, by whatever name known, loaded or unloaded, from which a number of
5 shots or bullets may be rapidly or automatically discharged from a maga-
6 zine with one continuous pull of the trigger and includes a sub-machine
7 gun, and also includes any convertible pistol that is equipped with a
8 pistol converter.

9 37. "Convertible pistol" means any semi-automatic pistol with a cruci-
10 form trigger bar that can be readily converted by hand or with common
11 household tools into a machine-gun solely by the installation or attach-
12 ment of a pistol converter. As used in this subdivision, "common house-
13 hold tools" means screwdrivers, pipe wrenches, pliers, hacksaws, crow-
14 bars, electric drills, hammers, chisels, and crescent wrenches.
15 "Convertible pistol" does not include hammer-fired semi-automatic pistol
16 or any striker-fired semi-automatic pistol lacking a cruciform trigger
17 bar, which instead has a trigger bar that is shielded from interference
18 by a pistol converter. A polymer notch or other piece of polymer molded
19 into the rear of a pistol frame does not prevent ready conversion into a

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

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1 machine-gun and will not prevent such pistol from qualifying as a
2 "convertible pistol" under this subdivision.

3 § 2. Subdivisions 1 and 2 of section 265.10 of the penal law, as
4 amended by chapter 481 of the laws of 2024, are amended and a new subdi-
5 vision 10 is added to read as follows:

6 1. Any person who manufactures or causes to be manufactured any
7 machine-gun, pistol converter, assault weapon, large capacity ammunition
8 feeding device or disguised gun is guilty of a class D felony. Any
9 person who manufactures or causes to be manufactured any rapid-fire
10 modification device is guilty of a class E felony. Any person who manu-
11 factures or causes to be manufactured any switchblade knife, pilum
12 ballistic knife, metal knuckle knife, undetectable knife, billy,
13 blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star,
14 chuka stick, sandbag, sandclub or slungshot is guilty of a class A
15 misdemeanor.

16 2. Any person who transports or ships any machine-gun, pistol convert-
17 er, firearm silencer, assault weapon or large capacity ammunition feed-
18 ing device or disguised gun, or who transports or ships as merchandise
19 five or more firearms, is guilty of a class D felony. Any person who
20 transports or ships any rapid-fire modification device is guilty of a
21 class E felony. Any person who transports or ships as merchandise any
22 firearm, other than an assault weapon, switchblade knife, pilum ballis-
23 tic knife, undetectable knife, billy, blackjack, bludgeon, plastic
24 knuckles, metal knuckles, throwing star, chuka stick, sandbag or slung-
25 shot is guilty of a class A misdemeanor.

26 10. Any person, dealer, firm, partnership, or corporation who disposes
27 of or who transports or ships as merchandise a convertible pistol is
28 guilty of a class D felony.

29 § 3. Section 265.20 of the penal law is amended by adding a new subdi-
30 vision f to read as follows:

31 f. Subdivision ten of section 265.10 of this article shall not apply
32 to the disposition of a convertible pistol to, nor to the transport or
33 shipping as merchandise of a convertible pistol for disposition to the
34 following:

35 1. Persons in the military service of the state of New York when duly
36 authorized by regulations issued by the adjutant general to possess the
37 same.

38 2. Police officers as defined in subdivision thirty-four of section
39 1.20 of the criminal procedure law.

40 3. Peace officers as defined by section 2.10 of the criminal procedure
41 law.

42 4. Persons in the military or other service of the United States, in
43 pursuit of official duty or when duly authorized by federal law, regu-
44 lation or order to possess the same.

45 5. Persons employed in fulfilling defense contracts with the govern-
46 ment of the United States or agencies thereof when possession of the
47 same is necessary for manufacture, transport, installation and testing
48 under the requirements of such contract.

49 6. Persons engaging in the business of gunsmith or dealer in firearms
50 to whom a valid license therefor has been issued pursuant to section
51 400.00 of this chapter.

52 § 4. Subdivision 36 of section 265.00 of the penal law, as added by
53 chapter 429 of the laws of 2024, is amended to read as follows:

54 36. "Pistol converter" means any device or instrument that when
55 installed in or attached to the rear of the slide of a semi-automatic
56 pistol, replaces the backplate, and interferes with the trigger mech-

1 anism and thereby enables the pistol to discharge a number of shots or
2 bullets rapidly or automatically with one continuous pull of the trig-
3 ger.

4 § 5. The superintendent of the division of state police is authorized
5 to promulgate rules, regulations, and policies necessary to effectuate
6 the provisions of this act.

7 § 6. This act shall take effect on the one hundred eightieth day after
8 it shall have become a law. Effective immediately, the addition, amend-
9 ment and/or repeal of any rule or regulation necessary for the implemen-
10 tation of this act on its effective date are authorized to be made and
11 completed on or before such effective date.