**§ 233. Municipal gun buyback program.** 1. There is hereby established within the division of the state police a municipal gun buyback program. Agencies approved by the superintendent may participate subject to available appropriations and funds in the municipal gun buyback fund established pursuant to section ninety-seven-cc of the state finance law.

2. The division of state police shall administer the municipal gun buyback program and promulgate rules and regulations the superintendent deems necessary for the implementation of such program. Such rules shall include, but not be limited to:

(a) the manner in which an agency may apply for funds to support a municipal gun buyback program and the manner in which such funds will be allocated and distributed;

(b) guidelines for the safe storage and disposal of firearms, rifles, shotguns, and ammunition received as part of the program in the possession of the participating agency, return of any recovered stolen property to its rightful owner as appropriate, and retention for evidence of any firearm, rifle, or shotgun suspected to have been used in a crime;

(c) guidelines for an agency participating in the program to coordinate with community groups within its jurisdiction; and

(d) guidelines for allowing individuals to surrender firearms, rifles and shotguns and eligibility for monetary rewards.

3. The provisions of subparagraph (f) of paragraph one of subdivision a of section 265.20 of the penal law shall apply to any person voluntarily surrendering a firearm, rifle or shotgun pursuant to this section.

4. Any agency shall be authorized to develop and implement its own municipal gun buyback program provided it is otherwise permitted by law and conforms to the rules and regulations promulgated by the superintendent and outlined in subdivision two of this section.

5. For purposes of this section "agency" means the police force or department of any county, city, town, or village or a county sheriff.