**§ 265.10 Manufacture, transport, disposition and defacement of weapons and dangerous instruments and appliances.**

1. Any person who manufactures or causes to be manufactured any machine-gun, ghost gun, unfinished frame or receiver, firearm silencer, major component of a firearm, assault weapon, large capacity ammunition feeding device or disguised gun is guilty of a class D felony. Any person who manufactures or causes to be manufactured any rapid-fire modification device is guilty of a class E felony. Any person who manufactures or causes to be manufactured any switchblade knife, pilum ballistic knife, metal knuckle knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star, chuka stick, sandbag, sandclub or slungshot is guilty of a class A misdemeanor.

2. Any person who transports or ships any machine-gun, ghost gun, firearm silencer, assault weapon or large capacity ammunition feeding device or disguised gun, or who transports or ships as merchandise five or more firearms, is guilty of a class D felony. Any person who transports or ships any rapid-fire modification device is guilty of a class E felony. Any person who transports or ships as merchandise any firearm, other than an assault weapon, switchblade knife, pilum ballistic knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star, chuka stick, sandbag or slungshot is guilty of a class A misdemeanor.

3. Any person who disposes of any machine-gun, assault weapon, large capacity ammunition feeding device or firearm silencer is guilty of a class D felony. Any person who disposes of any rapid-fire modification device is guilty of a class E felony. Any person who knowingly buys, receives, disposes of, or conceals a machine-gun, firearm, large capacity ammunition feeding device, rifle or shotgun which has been defaced for the purpose of concealment or prevention of the detection of a crime or misrepresenting the identity of such machine-gun, firearm, large capacity ammunition feeding device, rifle or shotgun is guilty of a class D felony.

4. Any person who disposes of any of the weapons, instruments or appliances specified in subdivision one of section 265.01, except a firearm, is guilty of a class A misdemeanor, and he is guilty of a class D felony if he has previously been convicted of any crime.

5. Any person who disposes of any of the weapons, instruments, appliances or substances specified in section 265.05 to any other person under the age of sixteen years is guilty of a class A misdemeanor.

6. Any person who wilfully defaces any machine-gun, large capacity ammunition feeding device or firearm is guilty of a class D felony.

7. Any person, other than a wholesale dealer, or gunsmith or dealer in firearms duly licensed pursuant to section 400.00 of this chapter, lawfully in possession of a firearm or semiautomatic rifle, who disposes of the same without first notifying in writing the licensing officer in the city of New York and counties of Nassau and Suffolk and elsewhere in the state the executive department, division of state police, Albany, is guilty of a class A misdemeanor.

8. Any person, dealer, firm, partnership or corporation who intentionally designs or transforms a firearm, rifle, shotgun or machine-gun to resemble a toy gun by either altering or concealing the original color or surface of the gun with the purpose of selling such weapon is guilty of a class D felony.

9. Any person who modifies a microstamping-enabled pistol or microstamping component with the intent to prevent the production of a microstamp is, for a first offense, guilty of a class B misdemeanor, and for a second or subsequent offense, is guilty of a class A misdemeanor. For the purposes of this subdivision, it shall not be unlawful to replace the microstamping component of a microstamping-enabled pistol when the component is damaged or in need of replacement with another valid microstamping component for the safe use of the firearm or replacing such pin for a legitimate sporting purpose that is only used for that legitimate purpose.

10. Any dealer in firearms or gunsmith who, on or after May thirty-first, two thousand twenty-seven, sells, transfers, disposes of, or transports or ships as merchandise a convertible pistol shall be guilty of a class D felony.

11. Any person who knowingly sells, offers to sell, transfers, distributes, sell access to, provides, or otherwise disposes of digital firearm manufacturing code to any person who does not hold both: (a) a valid gunsmith license as provided in section 400.00 of this chapter; and (b) a valid federal firearms license, is guilty of a class A misdemeanor. It is not a violation of this subdivision if: (a) the person sells, offers to sell, transfers, sells access to, provides, or otherwise disposes of the digital firearm manufacturing code with the reasonable belief that the recipient will not use the digital firearm manufacturing code to violate this subdivision or subdivision twelve of this section; (b) neither (i) the person who sells, offers to sell, transfers, sells access to, or otherwise disposes of the digital firearm manufacturing code, nor (ii) the recipient of the digital firearm manufacturing code are in New York state; or (c) the recipient of the digital firearm manufacturing code holds both (i) a gunsmith license as provided in section 400.00 of this chapter and (ii) a valid federal firearms license.

12. Any person who possesses digital firearm manufacturing code with the intent to: (a) illegally manufacture any item described in subdivision one, two, three, or three-a of section 265.00 of this article; (b) distribute to a person in the state of New York for whom the sender knows or reasonably should know would be prohibited from possessing the manufactured or produced product under section 265.02 of this article or subsection (G) of section 922 of title 18 of the United States Code; or (c) distribute to a person in the state of New York who does not hold both (i) a valid gunsmith license as provided in section 400.00 of this chapter and (ii) a valid federal firearms license, is guilty of a class A misdemeanor.