

2017-2018 Regular Sessions

I N S E N A T E

(PREFILED)

January 4, 2017

Introduced by Sen. YOUNG -- 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 requiring application for a license to carry or possess a pistol or revolver to be acted upon within 180 days of the receipt thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (a) of subdivision 3 of section 400.00 of the  
2 penal law, as amended by chapter 1 of the laws of 2013, is amended to  
3 read as follows:

4 (a) (I) Applications shall be made and renewed, in the case of a  
5 license to carry or possess a pistol or revolver, to the licensing offi-  
6 cer in the city or county, as the case may be, where the applicant  
7 resides, is principally employed or has his or her principal place of  
8 business as merchant or storekeeper; and, in the case of a license as  
9 gunsmith or dealer in firearms, to the licensing officer where such  
10 place of business is located. Blank applications shall, except in the  
11 city of New York, be approved as to form by the superintendent of state  
12 police. An application shall state the full name, date of birth, resi-  
13 dence, present occupation of each person or individual signing the same,  
14 whether or not he or she is a citizen of the United States, whether or  
15 not he or she complies with each requirement for eligibility specified  
16 in subdivision one of this section and such other facts as may be  
17 required to show the good character, competency and integrity of each  
18 person or individual signing the application. An application shall be  
19 signed and verified by the applicant. Each individual signing an appli-  
20 cation shall submit one photograph of himself or herself and a duplicate  
21 for each required copy of the application. Such photographs shall have  
22 been taken within thirty days prior to filing the application. In case  
23 of a license as gunsmith or dealer in firearms, the photographs submit-

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

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1 ted shall be two inches square, and the application shall also state the  
2 previous occupation of each individual signing the same and the location  
3 of the place of such business, or of the bureau, agency, subagency,  
4 office or branch office for which the license is sought, specifying the  
5 name of the city, town or village, indicating the street and number and  
6 otherwise giving such apt description as to point out reasonably the  
7 location thereof. In such case, if the applicant is a firm, partnership  
8 or corporation, its name, date and place of formation, and principal  
9 place of business shall be stated. For such firm or partnership, the  
10 application shall be signed and verified by each individual composing or  
11 intending to compose the same, and for such corporation, by each officer  
12 thereof.

13 (II) IN THE CASE OF EACH APPLICATION FOR THE ISSUANCE OR RENEWAL OF A  
14 LICENSE TO CARRY OR POSSESS A PISTOL OR REVOLVER, THE LICENSING OFFICER  
15 SHALL PROVIDE WRITTEN NOTICE TO THE APPLICANT OF THE APPROVAL OR DENIAL  
16 OF SUCH APPLICATION WITHIN ONE HUNDRED EIGHTY DAYS OF THE RECEIPT OF THE  
17 APPLICATION BY THE APPROPRIATE COUNTY OR CITY. IN THE EVENT SUCH NOTICE  
18 IS NOT PROVIDED WITHIN ONE HUNDRED EIGHTY DAYS, THE COUNTY OR CITY SHALL  
19 PROVIDE TO THE APPLICANT, A REFUND OF ALL FEES AND CHARGES ASSOCIATED  
20 WITH THE SUBMISSION OF THE APPLICATION, UNLESS THE FAILURE TO PROVIDE  
21 TIMELY NOTICE WAS DUE TO A FACTOR OR FACTORS BEYOND THE CONTROL OF THE  
22 CITY OR COUNTY AND THE LICENSING OFFICER.

23 S 2. This act shall take effect on the thirtieth day after it shall  
24 have become a law.