



2018 New York State YMCA

Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Freedom 3

Bill #: AF-16

1 **Sponsors:** Robert Henn, David Maceroni, Ryan Collins

2

3 **An Act To**

4 Amend § 265.01-b of the New York State Penal Law by adding subdivision 3 to
5 prohibit firearm ownership of persons convicted of committing a Hate Crime.

6

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

8

9 **Purpose**

10 To prohibit firearm ownership for those who commit a hate crime in New York
11 State.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **Hate Crime:** a crime in which a person is intentionally selected because of belief or
15 perception regarding race, color, national origin, ancestry, gender, religion,
16 religious practice, age, disability, or sexual orientation of a person, regardless of
17 whether the belief or perception is correct.

18 **Firearm:** any loaded weapon, from which a shot readily capable of producing death
19 or serious physical injury, may be discharged.

20 **Section 2:**

21 § 265.01-b. A person is guilty of criminal possession of a firearm when he or she:

22 (1.) possesses any firearm or;

23 (2.) lawfully possesses a firearm prior to the effective date of the chapter of the
24 laws of two thousand thirteen which added this section subject to registration
25 requirements of subdivision sixteen-a of section 400.00 of this chapter knowingly
26 fails to register such firearm pursuant to such subdivision or;

27 (3.) has been convicted of a hate crime in which, (a) said person cannot own a
28 firearm (b) said person cannot purchase a firearm (c) and must revoke their
29 firearms and licenses to own said firearms at any New York State county or
30 municipal firearms licensing bureau.

31 **Justification**

32 Over the years, hate crimes have contributed to some of the most violent public
33 protests and cases of civil outburst in U.S history. In New York State alone,
34 statewide FBI reports have shown that seven thousand people were victims of a
35 hate crime through physical means. Therefore, the question lies, how many of
36 these victims would be alive today if those committing said hate crimes were in
37 possession of a firearm? Those who physically harm or threaten anyone on the base
38 of race, national origin, ancestry, gender, religion, age, disability, or sexual
39 orientation, should not be allowed to possess or purchase a firearm.

40 **Fiscal Implications**

41 There are no fiscal implications for this bill.

42 **Effective Date**

43 This bill will go into effect one year after its passage.