



New York State YMCA
Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 1

Bill #: SF-05

Sponsors: Samuel Demers

An Act To

Amend Penal law 265.1 and add a section 9 to ban Military-style weapons.

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

Purpose

To make illegal the manufacture, possession, and sale of Military-Style Weapons.

Summary of Provisions

A firearm is considered to be a semiautomatic military-style assault weapon, if it is:

(1) Any of the following firearms, or copies or duplicates of the firearms, in any caliber, known as: Avtomat Kalashnikov (AK-47) semiautomatic rifle type, Beretta AR-70 and BM-59 semiautomatic rifle types, Colt AR-15 semiautomatic rifle type, Daewoo Max-1 and Max-2 semiautomatic rifle types, Famas MAS semiautomatic rifle type, Fabrique Nationale FN-LAR and FN-FNC semiautomatic rifle types, Galil semiautomatic rifle type, Heckler & Koch HK-91, HK-93, and HK-94 semiautomatic rifle types, Ingram MAC-10 and MAC-11 semiautomatic pistol and carbine types, Intratec TEC-9 semiautomatic pistol type, Sigarms SIG 550SP and SIG 551SP semiautomatic rifle types, SKS with detachable magazine semiautomatic rifle type, Steyr AUG semiautomatic rifle type, Street Sweeper and Striker-12 revolving-cylinder shotgun types, USAS-12 semiautomatic shotgun type, Uzi semiautomatic pistol and carbine types, or Valmet M76 and M78 semiautomatic rifle types.

(2) A semiautomatic rifle that has an ability to accept a detachable magazine and has at least two (2) of the following:

Folding or telescoping stock, Pistol grip that protrudes conspicuously beneath the action of the weapon, Bayonet mount, Flash suppressor or threaded barrel designed to accommodate a flash suppressor, Grenade launcher.

A person is guilty of criminal possession of a weapon in the fourth degree when:

Section 1

He or she possesses any firearm, electronic dart gun, electronic stun gun, switchblade knife, pilum ballistic knife, metal knuckle knife, cane sword, billy, blackjack, bludgeon, plastic knuckles, meta knuckles, Chuka stick, sandbag, sand club, wrist-brace type slingshot or slungshot, shirken, or "Kung Fu star"

Section 2

He or she possesses any dagger, dangerous knife, dirk, machete, razor, stiletto, imitation pistol, or any other dangerous or deadly instrument or weapon with intent



New York State YMCA
Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 1

Bill #: SF-05

to use the same unlawfully against another; or * NB Effective until November 1, 2019 *

Section 3

Or

Section 4

He possesses a rifle, shotgun, antique firearm, black powder rifle, black powder shotgun, or any muzzle-loading firearm, and has been convicted of a felony or serious offense; or

Section 5

He possesses any dangerous or deadly weapon and is not a citizen of the United States; or

Section 6

He is a person who has been certified not suitable to possess a rifle or shotgun, as defined in subdivision sixteen of section 265.00 and refuses to yield possession of such rifle or shotgun upon the demand of a police officer. Whenever a person is certified not suitable to possess a rifle or shotgun, a member of the police department to which such certification is made, or of the state police, shall forthwith seize any rifle or shotgun possessed by such person. A rifle or shotgun seized as herein provided shall not be destroyed, but shall be delivered to the headquarters of such police department, or state police, and there retained until the aforesaid certificate has been rescinded by the director or physician in charge, or other disposition of such rifle or shotgun has been ordered or authorized by a court of competent jurisdiction.

Section 7

He knowingly possesses a bullet containing an explosive substance designed to detonate upon impact.

Section 8

He possesses any armor piercing ammunition with intent to use the same unlawfully against another. Criminal possession of a weapon in the fourth degree is a class A misdemeanor.

Section 9

He or She possesses a military-style weapon after the mandatory gun buyback which will end a year after the bill has taken effect, or takes part in the manufacture and sale of a military-style weapon.

Justification

Nearly 21 years ago on April 20th, 1999, a new generation started, a generation of school shootings. After over 223 deaths in over 738 school shootings, change is more evident than ever. School shootings have taken more than hundreds of lives, they have taken families heart and a nation's pride in it safety for its people.



New York State YMCA
Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 1

Bill #: SF-05

Military-style weapons have been used in almost every single mass shooting in modern history. This buyback of military-style weapons will decrease school shootings and mass shootings by a predicted 50% for the state. This will save hundreds of lives and rebirth of our nation's pride in the safety of its people.

Fiscal Implications

\$488,076,500 to \$976,153,000 after they buyback has been completed. Higher Taxes until it is all paid off.

Effective Date

January 1st, 2021