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## 2009 LEGISLATIVE REPORT

THESE ARE THE BILLS THAT HAVE PASSED THE ASSEMBLY AND WILL NOW BE CONSIDERED BY THE SENATE

Report Date May 3, 2009

Bill #	Bill Sponsor	Bill Summary	SCOPE Position
A801/S1598A	Paulin/Schneiderman	Requires the renewal of firearms' licenses after five years and the taking of a safety course outside the city of New York; sets a date for expiration and provides for a schedule for recertification to be developed by the commissioner of criminal justice services.	<b>OPPOSE</b> -Requires 5 year renewal of pistol license and firearms safety course for renewal.
A1093/S1715	Paulin/Schneiderman	Requires the creation and imposition of restrictive commercial practices and stringent recordkeeping and reporting to prevent gun sales to criminals; provides that such measures shall be promulgated by the superintendent of state police; requires liability insurance of at least one million dollars; restricts premises of sales; requires employee training; prohibits straw purchases; imposes additional license conditions.	<b>OPPOSE</b> -would impose sever restrictions on gun sellers that would drive most out of the gun selling business. See the official SCOPE Position Paper on this bill at our website in the Legislative link.
A1326/S5228	Englebright/Serrano	Proscribes persons, firms or corporations engaged in the retail business of selling firearms from selling, delivering or transferring child operated firearms; defines "child operated firearm" to mean a pistol or revolver manufactured 1 year after the effective date of these provisions which does not contain a childproofing device or mechanism incorporated into the design of such pistol or revolver to effectively preclude an average 5 year old from firing same; makes violations a class A misdemeanor.	<b>OPPOSE</b> - assumes that gun makers are purposely selling guns that can be operated by a child. Mandates design criteria to keep that average 5 year old child from operating a firearm.
A2881/S2375	Koon/Padavan	Includes possession of armor piercing, frangible or devastator ammunition as criminal possession of a weapon in the 4th degree and where possession is knowingly with intent to use against another, it shall constitute criminal possession of a weapon in the 3rd degree.	<b>OPPOSE</b> - defines types of ammo and provides criminal penalties for illegal use of ammo. Uses innuendo and unsubstantiated claims that certain types of ammo are armor piercing, does not define armor .”Prelude to complete bans of ammo types.
A2882/S627	Koon/Robach	Provides for the submission by state and local law enforcement authorities of expended projectiles and shell casings and guns, found or otherwise coming into their possession, to the state police pistol and revolver ballistic identification electronic databank; requires the law enforcement agencies to make a record thereof and submit within 30 days.	<b>OPPOSE</b> An expansion of the failed CoBIS system. CoBIS has, as predicted, failed to produce any crime fighting results in its near 10 year life span.
A3076/S3597	Kavanagh/Krueger	Establishes a three-hour safety course, developed by the municipal police training council, which shall be completed by an applicant prior to the issuance of a license to possess a pistol, revolver, rifle or shotgun; provides that a license for a firearm shall not be issued until a certificate of participation in such course is submitted to the licensing agency or officer.	<b>OPPOSE</b> requires a 3 hour safety course prior to receiving a pistol license.

A3211A/S4752	Eddington/ Schneiderman	Bans the sale, use or possession of 50-caliber or larger weapons and directs the division of state police to embark on a program whereby persons currently in lawful possession of such weapons may be reimbursed for the fair market value thereof upon turning such weapons in to a designated officer.	<b>OPPOSE</b> -bans the possession of any .50 caliber or larger firearm. Has been amended to exempt rifled barrel shotguns but still totally bans many other common firearms
A5078/S725	Lentol/Johnson C	Amends the definition of a "disguised gun" to include a weapon or device capable of being concealed on a person from which a shot can be discharged through the energy of an explosive which is designed and intended to appear to be a toy gun.	<b>OPPOSE</b> This bill assumes that gun manufacturers are routinely making firearms that appear to be toys.
A5696/S4456	Kavanagh/ Schneiderman	Requires employees of dealers in firearms to submit to state and national criminal background checks.	<b>OPPOSE</b> Requires something any prudent firearms dealer is already doing.
A5844/S3098	Weisenberg/ Schneiderman	Enacts the "children's weapon accident prevention act"; creates crimes of failure to store a weapon safely in the first and second degrees, aggravated failure to store a weapon, and criminally negligent storage of a weapon in the first and second degrees; provides affirmative defenses; directs the commissioner of education to develop a weapons safety program.	<b>OPPOSE</b> Mandatory firearm storage requirements.
A6157/	Titone	Amends the definition of assault weapon to include additional weapons; defines the terms "detachable magazine", "muzzle break" and "muzzle compensator"; authorizes the division of state police to promulgate rules and regulations for the addition of information identifying assault weapons lawfully possessed prior to January 1, 2010 to the pistol and revolver ballistic identification databank.	<b>OPPOSE</b> Dramatically expands the definition of an assault weapon to include many more commonly owned rifles, pistols and shotguns. Requires registration if you want to keep your firearms. Gives State Police vast authority to designate any semi automatic firearm as an assault weapon. See the official SCOPE Position Paper at our website in the Legislative link.
A6468/S4397	Schimmel/ Schneiderman	Requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of microstamping ammunition; establishes fines for violations of this requirement.	<b>OPPOSE</b> Back door method of banning semi auto handguns by mandating untested sole source technology.
A7574/	Hoyt	Provides that collateral loan brokers shall store firearms in the same manner as gunsmiths and dealers in firearms are required to store them.	<b>OPPOSE</b> Unnecessary bill, pawn shops engaged in the business of buying and selling firearms must be licensed same as a gun dealer and follow all rules and regs governing gun stores.
A7575/S4685	Lancman/Hassell- Thompson	This bill would improve public safety and prevent domestic violence incidents from escalating into even greater violence by keeping guns out of the hands of domestic violence perpetrators.	<b>OPPOSE</b> broadly expands offenses that would be included in "serious offenses" which would permanently ban one from possessing firearms. It also ties these offenses to "family members" but doesn't define what a family member is, which gives courts dangerously broad authority to determine who is included in the definition of a family member.