

# STATE OF NEW YORK

9456

## IN SENATE

May 30, 2022

Introduced by Sen. SEPULVEDA -- 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 defining firearm

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

1 Section 1. Subdivision 3 of section 265.00 of the penal law, as  
2 amended by chapter 189 of the laws of 2000, is amended to read as  
3 follows:

4 3. "Firearm" means (a) any pistol or revolver; or (b) a shotgun having  
5 one or more barrels less than eighteen inches in length; or (c) a rifle  
6 having one or more barrels less than sixteen inches in length; or (d)  
7 any weapon made from a shotgun or rifle whether by alteration, modifica-  
8 tion, or otherwise if such weapon as altered, modified, or otherwise has  
9 an overall length of less than twenty-six inches; or (e) an assault  
10 weapon; or (f) any other weapon that is not otherwise defined in this  
11 section containing any component that provides housing or a structure  
12 designed to hold or integrate any fire control component that is  
13 designed to or may readily be converted to expel a projectile by action  
14 of explosive. For the purpose of this subdivision the length of the  
15 barrel on a shotgun or rifle shall be determined by measuring the  
16 distance between the muzzle and the face of the bolt, breech, or breech-  
17 lock when closed and when the shotgun or rifle is cocked; the overall  
18 length of a weapon made from a shotgun or rifle is the distance between  
19 the extreme ends of the weapon measured along a line parallel to the  
20 center line of the bore. Firearm does not include an antique firearm.

21 § 2. This act shall take effect on the thirtieth day after it shall  
22 have become a law.

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

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