





January 15, 2013

- Prohibition of sales of newly classified assault weapons by dealers in New York



March 15, 2013

- Private sales of guns require a National Instant Criminal Background Check (NICS) through a Federal Firearms Licensee (FFL) dealer. (Immediate family exemption)
- FFL dealer can charge no more than \$10.00 for check.
- FFL dealers are not required to perform checks for private citizens

April 15, 2013

- Registration opens for any weapon that would otherwise be classified as an assault weapon or grandfathered magazines
- Ammunition sellers may begin registration for sales
- Requirement for safe storage of rifles, shotguns, and firearms if in residence of someone who is prohibited from possessing a firearm (Class A misdemeanor, 30 dg)
- Prohibition of sales begins on magazines that hold more than 7 rounds, including permanently modified magazines
- Prohibition of possession of large capacity (>10 rounds) ammunition feeding device (Class A Misdemeanor) - exception for curio & relic
- Limitation begins on loading more than 7 rounds unless at firing range or competition (home-1st off violation, 2nd off Class B Misdemeanor; outside home B then A)



January 15, 2014

- Deadline to modify, sell to an out-of-state purchaser, or sell to a dealer any gun classified as an assault weapon if a person does not want to register
- Deadline to permanently modify, discard, sell to an out-of-state purchaser, or sell to a dealer any magazine that contains more than 10 rounds ** (per gun-reforms-faq)
- Ammunition sellers requirement to perform limited background check before sales begins



April 15, 2014

- Deadline to register all weapons classified as assault weapons with New York State Police (Criminal Possession of a Firearm – Class E Felony)
- Deadline to register all magazines with a capacity greater than 7 but less than 11 with New York State Police (Criminal possession of a weapon in the 3rd degree - class D felony)

Not an Assault Weapon

PL 265.00 22 (G)

(g) provided, however, that such term does not include:

(i) any rifle, shotgun or pistol that (A) is manually operated by bolt, pump, lever or slide action; (B) has been rendered permanently inoperable; or (C) is an antique firearm as defined in 18 U.S.C. 921(a)(16);

(ii) a semiautomatic rifle that cannot accept a detachable magazine that holds more than five rounds of ammunition;

(iii) a semiautomatic shotgun that cannot hold more than five round of ammunition in a fixed or detachable magazine; or

(iv) a rifle, shotgun or pistol, or a replica or a duplicate thereof, specified in Appendix A to 18 U.S.C. 922 as such weapon was manufactured on October first, nineteen hundred ninety-three. The mere fact that a weapon is not listed in Appendix A shall not be construed to mean that such weapon is an assault weapon;

(v) any weapon validly registered pursuant to subdivision sixteen-a of section 400.00 of this chapter. Such weapons shall be subject to the provisions of paragraph (h) of this subdivision;

(vi) any firearm, rifle, or shotgun that was manufactured at least fifty years prior to the current date, but not including replicas thereof that is validly registered pursuant to subdivision sixteen-a of section 400.00 of this chapter;

Grandfathered

PL 265.00 22 (G)

- Weapons that otherwise would be classified as “Assault Weapons” if registered and prior legally possessed
- Antique firearm as defined in 18 U.S.C. 921 (A) (16)
- Curio & Relic guns & magazines are exempt from the prohibition against transfer but must be registered if qualified as an assault weapon - *must be registered within 30 days of being brought into New York
- Curio & Relic guns or magazines **MUST** be manufactured more than 50 years ago (replicas do not qualify)

Registration

- Violation of registration within 1 year:
- Warning by appropriate law enforcement authority – 30 days to apply to register or surrender
- Weapon removed and declared a nuisance



Antique Firearm

18 U.S.C. 921(A) (16)

(16) The term “antique firearm” means—

(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or

(B) any replica of any firearm described in subparagraph (A) if such replica—

(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or

Antique Firearm 18 U.S.C. 921(A) (16)

(C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

Helpful Websites

- <http://www.governor.ny.gov/2013/gun-reforms>
- <http://www.governor.ny.gov/2013/gun-reforms-faq>



Questions/Comments

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