

## Albany Responds to SCOTUS Loss with More Control Measures

NY State's Governor and her majority party have again attacked the Second Amendment and their own law-abiding citizens. One-party tyrannical rule continues to fail us.

All New Yorkers should reject this action regardless of party affiliation and the level of disagreement. Our American mechanism for settling differences is via free speech and open debate in the public square. The continued use of government power to sidestep that debate only increases the divide between the two sides.

The Supreme Court of the United States (SCOTUS) recently ruled in the NRA's case ("NYSRPA v. Bruen") <https://scopeny2a.org/Briefings/12103217> that a state's licensing of firearms is not an infringement on that right as long as states stay within the much more common "shall-issue" systems. This requires pistol licenses be granted upon satisfying objective criteria, such as passing a background check, rather than "may-issue" systems where arbitrary evaluations of need such as "proper cause" may be required by local authorities in an autocratic manner.

Democrats responded with a series of provisions modifying existing sections of law covering concealed-carry of firearms. It was the majority party's knee-jerk reaction to the Supreme Court's decision. Legislators had no drafted legislation by 11:30pm despite arriving early on June 30. Then they were forced to study bills in the middle of the night prior to votes on July 1. Phony "Messages of Necessity" were used. Amendments were not accepted nor was input allowed from stakeholders and law enforcement. Albany tactics like these are unwarranted and must end.

The Democrat majority did pass a permit law that removes a "special need" requirement for concealed carry (as per the SCOTUS ruling), BUT now requires:

- three-year renewal (recertification) of licenses; (previously five years)
- a police investigation, fingerprints, and four character references; (previously three references) (State Police are now in charge of all investigations for pistol permits.)
- disclosure of an applicant's social media accounts going back three years. (Plus, the government can request any other information that is "reasonably necessary and related" to the process, which means any information, including, perhaps, ideological viewpoints);
- sixteen hours of classroom instruction, including two hours of live-fire training and qualification; (required of all permit holders before their permit is RE-certified).
- an in-person interview with the licensing officer;
- a monthly State Police audit of every license-holder to see if a reason exists to revoke a license. (What reasons will be used to revoke a license?)

Legislation was also passed making it illegal as of September 1, 2022 - and a Class E Felony - to possess a rifle, shotgun or firearm in the following locations:

- ✓ Any form of public transportation, including but not limited to:
  - railroads;
  - ride sharing services;
  - paratransit services;
  - subways;
  - buses;
  - air travel;
  - taxis;
  - any other public transportation service.
  
- ✓ Food and drink establishments.
  
- ✓ Large gatherings (a gathering of fifteen or more persons for amusement, athletic, civic, dining, educational, entertainment, patriotic, political, recreational, religious, social, or similar purposes. (gun club & SCOPE meetings?))

The new laws create new hurdles to purchasing both guns and ammunition. In lieu of (or in addition to), the current federal instant NICS check, the New York State Police will be tasked with conducting the checks for every firearm and ammunition purchase made in NY State.

Also, “there shall be a statewide license and record database specific for ammunition sales” and the legislation requires that firearms dealers record all ammunition sales in the database. (Does a 9 mm ammo purchase then designate you as the owner of a 9 mm pistol in the eyes of the state?)

How will the prohibition on large gatherings be enforced? By whom? Some members of those public “large gatherings” may be carrying (concealed) in attempt to provide security for themselves and others. Yet they will now be guilty of a felony and law enforcement officers will be obliged to arrest violators. Note that nothing is written in stone at this point but the laws have been passed and we can expect them to be enforced.

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Mike Jankowski has posted more info: <https://web.co.wayne.ny.us/186/County-Clerk>