

PETE LOPEZ IS WORKING TO PROTECT OUR COMMUNITIES WITHOUT INFRINGING ON OUR CONSTITUTIONAL RIGHTS

Here is a sampling of bills he is supporting to reverse the NY SAFE Act and other gun-control measures.

- **A.5608: Repeals Chapter 1 of the Laws of 2013 relating to the New York Safe Act of 2013**
- **A.6238: Repeals Chapter 1 of the Laws of 2013, amending the criminal procedure law and other laws relating to suspension and revocation of firearms licenses; private sale or disposal of firearms, rifles or shotguns**
- **A.4762: Prohibits the passage of bills by the Legislature between the hours of midnight and 8:00 a.m. and requires two-thirds approval for messages of necessity.**
- **A.4626: Prohibits the State Police from imposing a fee or surcharge on license holders for five-year recertification of pistol permits**

ASSEMBLYMAN

Pete
Lopez

THE NY SAFE ACT COURT

Pete Lopez believes that a combination of court action and continued pressure shows the progress of the current New York State Rifle and Pistol Association (NYSRPA) challenging the Act on Constitutional grounds.

March 21-April 22, 2013

Initial filing and motion for Preliminary Injunction and Motion for Expedited Hearing filed. Memorandum in support of a preliminary injunction. NRA files Amicus Curiae in support of the lawsuit.

July 1-July 26, 2013

Response from Attorney General Eric Schneiderman with cross-motion to dismiss and/or summary judgment. Nassau County District Attorney Kathleen Rice and State Police legal counsel Kevin Bruen have also filed briefs in support of the NY SAFE Act. The August date has been moved back. Both parties are in court on September 12.

May 14-May 15, 2013

New York State Sheriff's Association files Amicus Curiae in support of the lawsuit. NYSRPA/NRA filed both a Complaint and an Amended Complaint in the USDC for the Western District of New York. The Amended Complaint claims that the SAFE Act is unconstitutional in that it violates the Second Amendment, the Equal Protection Clause, and is unconstitutionally vague.

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WHAT YOU NEED TO KNOW...

New Gun Control Laws Resulting from the NY SAFE Act and amendments in the State Budget:

- Criminalizes the transfer of a previously legal assault weapon (pre-1994 ban and pre-2013 expansion of definition of assault weapons) to anyone who could not legally possess same.
- Criminalizes possession of an ammunition feeding device that can contain more than 10 rounds of ammunition. Large capacity ammunition feeding devices can be transferred within one year to someone out of state or who can legally possess it.
- Criminalizes the possession of an ammunition feeding device stocked with more than seven rounds (although you can possess ammunition feeding devices that could hold up to 10 rounds).
- Requires the registration of assault weapons with the State Police every five years. (Note: Bill language implies that Registry is separate from Database)
- Creates the Statewide License and Record Database, maintained by the State Police, at an estimated taxpayer cost of at least \$27 million. Please note: criminal conviction, mental health and all other records contained in this database will be periodically checked to determine continued pistol permit and weapons possession eligibility.

PEPEAL: A TIMELINE OF EVENTS

from the public is needed to reverse course on the NY SAFE Act. This timeline (NYSRPA), in co-operation with the National Rifle Association (NRA), lawsuit chal-

September 13-September 30, 2013

September 12 court meeting was postponed. The NSSF filed Amicus Curiae in support of the NYSRPA/NRA lawsuit.

August 23-August 28, 2013

Attorney Kathy Marchione files Amicus Curiae in support of the NYSRPA/NRA lawsuit. NYSRPA/NRA filed the following documents: Memo of Law, Notice of Cross-Motion, Counter Statement of Undisputed Facts and Response to the State Defendants' Statement of Undisputed Facts.

October 31, 2013

The State has requested a motion for summary judgment in an attempt to have the lawsuit thrown out.

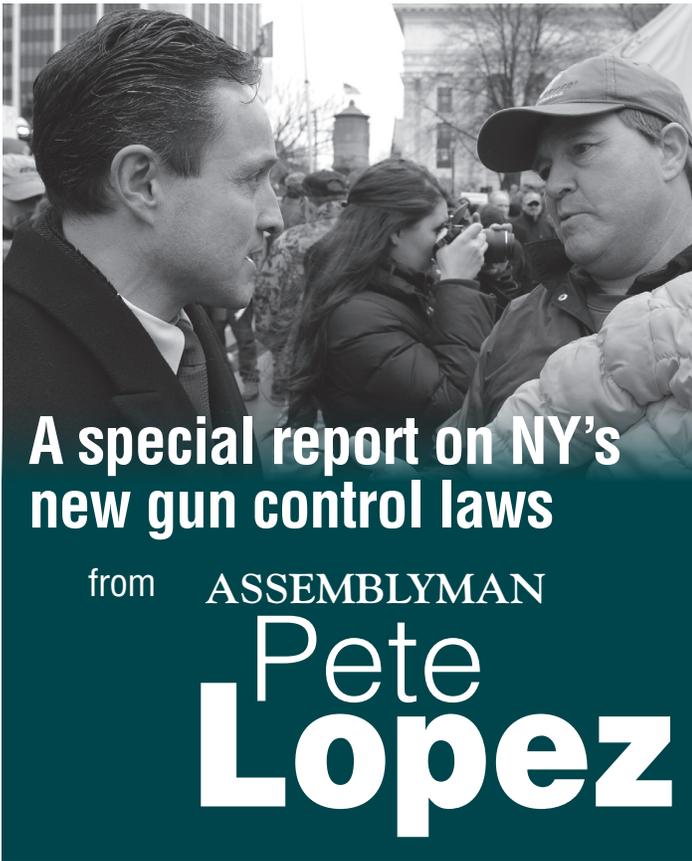
- Requires pistol permits to be recertified every five years.
- Provides confidentiality of pistol permit information for pistol permit holders who can state that their life or safety may be endangered by such disclosure. FOIL exemption forms are available at your licensing office or at the State Troopers' website (www.troopers.ny.gov/optoutfoil) or the NY SAFE Act website (www.nysafeact.com). Forms must be submitted to your licensing office by May 15, 2013 to avoid any disclosure, unless your licensing officer refuses to grant the exception.
- Requires in-person background checks for all ammunition purchases, banning direct internet sales (which take effect after State Police Database becomes operational). Note: January 15, 2014 deadline was postponed.
- Under the NY SAFE Act, "Assault Weapons" include any semi-automatic rifle or pistol with the ability to accept a detachable magazine with one or more "military-style" features such as a protruding pistol grip, or a semi-automatic shotgun with one or more "military-style" features, or a fixed magazine capacity over seven rounds.

FOR MORE INFORMATION

please visit the
NYSRPA website.

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Albany, NY 12248

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A special report on NY's new gun control laws

from ASSEMBLYMAN

Pete
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**Want more information?
Have an idea, suggestion or concern?
Give Pete a call, or contact him at any
of the following!**

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