**Dear Neighbor,**

Sadly, gun violence has become an all-too-common reality in communities and neighborhoods across the state.

In response to this problem, the Assembly passed the NY SAFE Act (Secure Ammunition and Firearms Enforcement Act). This law contains regulations and standards for legal gun use, stronger penalties for criminals and a more comprehensive Kendra's Law to address the mental health aspect of this important issue (Ch. 1 of 2013).

Inside this pamphlet, you will find answers to the most common questions about the new gun-safety law. As always, if I can be of any assistance in this or any community issue, please contact my office at 718-893-5514 or crespom@assembly.state.ny.us.

**Sincerely,**

Marcos A. Crespo
Member of Assembly

4/13

# KEEPING NY SAFE

# FACTS about the NY SAFE Act

Courtesy of
**Assemblyman**
**Marcos A. Crespo**

# How does the new gun-safety law affect you?*

*For more information, see:
www.assembly.state.ny.us/gunsafety/

## Q: What does the NY SAFE Act do?

**A: Using common sense and reasonable reforms, the law is designed to make New York a safer place to live:**

- bans military-style assault weapons
- ensures all gun purchases are subject to a background check
- keeps guns away from convicted felons and out of the hands of those who pose a danger due to mental illness
- toughens criminal penalties on those who use illegal guns

## Q: How do I find out if the gun I own is banned?

**A:** Most handguns and guns used for hunting are not assault weapons, and therefore not affected by this law. When looking to determine whether your gun qualifies as an assault weapon, there are **different military characteristics of the gun to consider.** For a list of makes, models and features, please visit: www.nysafeact.com.

## Q: I own an assault weapon. Do I need to give it up?

**A: No.** If you have an assault weapon, you have until **April 15, 2014 to register it with the state police.** There will be a form available online and registration is free. If you permanently modify your gun so that it is not an assault weapon, you do not have to register it.

## Q: If I don't want to register my assault weapon, what are my options?

**A:** You are able to sell the gun to a New York State dealer or anyone out of state by Jan. 15, 2014.

## Q: Does the new law affect magazines?

**A:** Yes. While 10-round magazines can still be bought, sold and possessed, they may only be loaded with 7 rounds.

## Q: Is there any exception for historic or antique guns and magazines?

**A:** Yes, they are exempt from the prohibition against large-capacity magazines and transfer. However, if the gun qualifies as an assault weapon it must be registered.

***Any magazine or gun manufactured more than 50 years ago qualifies as an antique.

## Q: What are the new requirements for private sales?

**A: Beginning on March 15, 2013, private sellers must have a licensed dealer perform a NICS (National Instant Criminal Background Check System)** check on the buyer with the exception of sales and transfers between spouses, domestic partners, children and step-children.

***The dealer may charge no more than $10.

## Q: When must I safely store my gun?

**A:** You must safely store your gun in a locked gun safe or cabinet, or secure it with a trigger lock, if you live with someone who has been convicted of a felony or domestic violence crime, has been involuntarily committed to a mental health facility or is currently under an order of protection.

## Q: Are there increased penalties for gun crimes?

**A:** Yes. There are tougher penalties for murdering a first responder, illegal possession of an unloaded firearm and possession of a firearm on school grounds, recklessly injuring a child with a firearm and possessing a gun during a drug deal or violent felony.