

STATE OF NEW YORK

199--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. SOLAGES, CHANDLER-WATERMAN, BURDICK, SEAWRIGHT, ROZIC, RAMOS, MEEKS, PAULIN, LASHER, GRIFFIN, SIMON, STECK, EPSTEIN, LAVINE, ZACCARO, O'PHARROW, SCHIAVONI, GONZALEZ-ROJAS, COLTON, SHIMSKY, DINOWITZ, ROSENTHAL, TORRES, KASSAY, TAYLOR, HEVESI, R. CARROLL, SIMONE, CRUZ, STERN, ALVAREZ, LUNSFORD, TAPIA, SHRESTHA, STIRPE, CUNNINGHAM, GALLAGHER, WEPRIN, P. CARROLL, REYES, FORREST -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the regulation of pistol converters and convertible pistols

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

1 Section 1. Subdivision 1 of section 265.00 of the penal law is amended
2 and a new subdivision 37 is added to read as follows:

3 1. "Machine-gun" means a weapon of any description, irrespective of
4 size, by whatever name known, loaded or unloaded, from which a number of
5 shots or bullets may be rapidly or automatically discharged from a maga-
6 zine with one continuous pull of the trigger and includes a sub-machine
7 gun, and also includes any convertible pistol that is equipped with a
8 pistol converter.

9 37. "Convertible pistol" means any semi-automatic pistol with a cruci-
10 form trigger bar that can be readily converted by hand or with common
11 household tools into a machine-gun solely by the installation or attach-
12 ment of a pistol converter. As used in this subdivision, "common house-
13 hold tools" means screwdrivers, pipe wrenches, pliers, hacksaws, crow-
14 bars, electric drills, hammers, chisels, and crescent wrenches.
15 "Convertible pistol" does not include hammer-fired semi-automatic pistol
16 or any striker-fired semi-automatic pistol lacking a cruciform trigger
17 bar, which instead has a trigger bar that is shielded from interference

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

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1 by a pistol converter. A polymer notch or other piece of polymer molded
2 into the rear of a pistol frame does not prevent ready conversion into a
3 machine-gun and will not prevent such pistol from qualifying as a
4 "convertible pistol" under this subdivision.

5 § 2. Subdivisions 1 and 2 of section 265.10 of the penal law, as
6 amended by chapter 481 of the laws of 2024, are amended and a new subdivi-
7 sion 10 is added to read as follows:

8 1. Any person who manufactures or causes to be manufactured any
9 machine-gun, pistol converter, assault weapon, large capacity ammunition
10 feeding device or disguised gun is guilty of a class D felony. Any
11 person who manufactures or causes to be manufactured any rapid-fire
12 modification device is guilty of a class E felony. Any person who manu-
13 factures or causes to be manufactured any switchblade knife, pilum
14 ballistic knife, metal knuckle knife, undetectable knife, billy,
15 blackjack, bludgeon, plastic knuckles, metal knuckles, throwing star,
16 chuka stick, sandbag, sandclub or slungshot is guilty of a class A
17 misdemeanor.

18 2. Any person who transports or ships any machine-gun, pistol convert-
19 er, firearm silencer, assault weapon or large capacity ammunition feed-
20 ing device or disguised gun, or who transports or ships as merchandise
21 five or more firearms, is guilty of a class D felony. Any person who
22 transports or ships any rapid-fire modification device is guilty of a
23 class E felony. Any person who transports or ships as merchandise any
24 firearm, other than an assault weapon, switchblade knife, pilum ballis-
25 tic knife, undetectable knife, billy, blackjack, bludgeon, plastic
26 knuckles, metal knuckles, throwing star, chuka stick, sandbag or slung-
27 shot is guilty of a class A misdemeanor.

28 10. Any person, dealer, firm, partnership, or corporation who disposes
29 of or who transports or ships as merchandise a convertible pistol is
30 guilty of a class D felony.

31 § 3. Section 265.20 of the penal law is amended by adding a new subdivi-
32 sion f to read as follows:

33 f. Subdivision ten of section 265.10 of this article shall not apply
34 to the disposition of a convertible pistol to, nor to the transport or
35 shipping as merchandise of a convertible pistol for disposition to the
36 following:

37 1. Persons in the military service of the state of New York when duly
38 authorized by regulations issued by the adjutant general to possess the
39 same.

40 2. Police officers as defined in subdivision thirty-four of section
41 1.20 of the criminal procedure law.

42 3. Peace officers as defined by section 2.10 of the criminal procedure
43 law.

44 4. Persons in the military or other service of the United States, in
45 pursuit of official duty or when duly authorized by federal law, regu-
46 lation or order to possess the same.

47 5. Persons employed in fulfilling defense contracts with the govern-
48 ment of the United States or agencies thereof when possession of the
49 same is necessary for manufacture, transport, installation and testing
50 under the requirements of such contract.

51 6. Persons engaging in the business of gunsmith or dealer in firearms
52 to whom a valid license therefor has been issued pursuant to section
53 400.00 of this chapter.

54 § 4. Subdivision 36 of section 265.00 of the penal law, as added by
55 chapter 429 of the laws of 2024, is amended to read as follows:

1 36. "Pistol converter" means any device or instrument that when
2 installed in or attached to the rear of the slide of a semi-automatic
3 pistol, replaces the backplate, and interferes with the trigger mech-
4 anism and thereby enables the pistol to discharge a number of shots or
5 bullets rapidly or automatically with one continuous pull of the trig-
6 ger.

7 § 5. The superintendent of the division of state police is authorized
8 to promulgate rules, regulations, and policies necessary to effectuate
9 the provisions of this act.

10 § 6. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law. Effective immediately, the addition, amend-
12 ment and/or repeal of any rule or regulation necessary for the implemen-
13 tation of this act on its effective date are authorized to be made and
14 completed on or before such effective date.