



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Approves SAFE Act Reforms

PATRICK M. GALLIVAN June 10, 2015

| ISSUE: **GUN CONTROL, HUNTING AND FISHING, LAW**



Like many New Yorkers, I strongly oppose the so-called SAFE Act, because I believe it is an unjust, unfair and unconstitutional infringement of our Second Amendment rights.

This misguided law was a poorly drafted measure that was rushed through Albany without the input or involvement of New York State's law-abiding gun owners. Not surprisingly, a number of lawsuits have been filed against the SAFE Act, and key elements of it have already been struck down by a Federal Court.

While these legal challenges continue, I am seeking to take action on the legislative front. As you are probably aware, I voted against the SAFE Act and strongly support its repeal. I am co-sponsoring legislation to accomplish this goal. I recognize that this repeal legislation continues to face strong opposition by those who lack a full understanding of the freedoms that we hold dear, **but we cannot and**

will not give up our fight.

In fact, as the various court challenges to the SAFE Act move forward, I will continue my efforts to encourage elected officials from both political parties, from both the Senate and Assembly, and from every region of the state to support legislation to help restore our Second Amendment rights.

Towards this end, the State Senate has just taken action by passing legislation that I believe will roll-back some of the worst aspects of the law. The reforms passed by the Senate include:

Full repeal of the section establishing an ammunition database;

Re-establishing the right of an immediate family member to legally transfer a registered assault weapon to another family member. This measure will ensure that a gun can legally be passed down from one generation to the next;

Strengthening privacy protections so that a presumption of privacy would be restored to the gun owner, and personal information contained on firearms licenses could not be disclosed;

Strengthening due process provisions so that an individual is notified if they have been referred to state authorities for mental health reasons. The bill also provides that individual with the right to challenge the referral. Without these proposed protections, a mental health-related referral can potentially be made -- without the knowledge of a gun owner -- for things as minor as seeking treatment for insomnia; and

Restoring responsibility to our local County Clerks to oversee handgun recertification, and shifting control of New York's pistol permit database away from the State Police to an administrative, non-law enforcement agency.

As we continue efforts to fully repeal the SAFE Act, this bill is a step in the right direction. I believe that these important reforms will help chip away at this misguided law, rolling back a profoundly flawed measure that never should have been enacted in the first place. In doing so, we will begin to re-establish the rights of law-abiding gun owners in New York State.

The Senate approved this bill with bipartisan support. As there is also bipartisan support in the Assembly, there is no reason whatsoever that this legislation cannot be taken up and passed. It is time for both Republicans and Democrats in the Assembly to deliver and pass these common sense reforms without delay.

With your support, I am confident that we can encourage our Assembly members to do the right thing, and take a step forward on behalf of law-abiding gun owners all across the State.

Sincerely,

Patrick Gallivan – Senator 59th District

