



NEW YORK STATE SENATOR

Michael Gianaris

Senator Gianaris' Effective Background Checks Act, Extending Period for Background Checks to 10 Days, Passes Key Senate Committee

MICHAEL GIANARIS May 16, 2018

| ISSUE: **S5808A, GUN SAFETY, BACKGROUND CHECKS, CHARLESTON LOOPHOLE**



ALBANY, N.Y. – Senator Michael Gianaris announced that the Senate Codes Committee voted 9-6 to advance his Effective Background Checks Act, which would extend the period for a gun purchase background check to occur from three days to 10. This legislation would close what is known as the “Charleston Loophole,” which allowed Mother Emanuel Church shooter Dylann Roof to buy firearms without a background check being completed.

“More responsible gun laws will make our communities safer, keep firearms away from dangerous people and ensure preventable tragedies do not happen,” said **Senator Michael Gianaris**. “My Effective Background Checks Act has now been endorsed by the Senate Democratic Conference, the Assembly Majority, the Governor, and now the Senate Codes Committee. The full Senate must vote on this legislation before the end of session so we can make our communities safer.”

Currently, there is a three-day period for a background check to be completed before a seller can transfer a firearm to a purchaser. If the check is not completed in that time, the firearm may be sold without a background check at all. Over 300,000 background checks were not concluded in the three-day period in 2016 alone. Senator Gianaris’ proposal would extend that time frame to 10 days, so that proper background checks could be completed in all cases.

Senator Gianaris’ bill would also require firearms dealers to report to the police any attempts to make illegal gun purchases and would require employees of gun manufacturers and dealers to also undergo background checks.

The Codes Committee referred the legislation to the Finance Committee, where it much be considered before it can come to the full Senate. More information, including the vote totals and text of the bill, is available here: <https://bit.ly/2IJBmBU>.

RELATED LEGISLATION

2017-S5808A

-
- Introduced

 - ◦ In Committee Assembly
 - In Committee Senate

 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

 - ◦ Passed Assembly
 - Passed Senate

 - Delivered to Governor

 - Signed By Governor

 -

Enacts the effective background check act of 2018

May 01, 2017

In Senate Committee [Finance](#)

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Do you support this bill?