



NEW YORK STATE SENATOR

Pamela Helming

Protecting Our Citizens, Safeguarding Our Constitutional Rights

SENATOR PAM HELMING February 6, 2019

| ISSUE: **GUN CONTROL**



Protecting the safety of New Yorkers while safeguarding the constitutional rights of law-abiding citizens should not be mutually exclusive. Recently passed “gun control” legislation in the New York State Senate and Assembly, and the debates surrounding these new bills, suggest that many of our legislators believe public safety demands stripping away constitutionally protected rights.

It is concerning that both houses appear to be poised to continue to introduce and enact laws that fall far short of their stated purpose and honestly are so poorly written that they

just do not make much sense. A great example of legislation rife with inconsistencies, contradictions, and just plain nonsense was recently introduced by Senator Kevin Parker of Brooklyn.

Provisions in Senator Parker's bill would require anyone purchasing a rifle or shotgun to:

- Apply for a hunting license. There are many gun owners in New York State who are not hunters. Given New York's less-than-adequate sentencing laws and the continued refusal of legislative leaders to strengthen protections for victims of crime, it is understandable why some would choose to purchase a firearm to protect themselves and their children. There are also gun owners who are sportsmen and women and athletes of all levels who enjoy shooting sports like target shooting, clay targets, the biathlon, and more. It makes one wonder what the bill sponsor's real motivation is for forcing non-hunting, law-abiding gun owners to apply and pay for a New York State hunting license.
- Pass a shooting range test with 90 percent accuracy. This exceeds the current standards for some branches of our military as well as state and local law enforcement. What is the purpose of legislation that requires a potential firearm owner to have a greater shooting accuracy than many branches of our military or our law enforcement?
- Provide notarized proof of a passed drug test and mental health evaluation by a physician. No one wants violent or dangerous individuals owning firearms. And New York already has some of the most stringent laws on the books to prevent this from happening. But requiring a physician to notarize a drug test or a mental health evaluation for all citizens who wish to own a firearm is unconstitutional. Not to mention expensive and time consuming. And it seems to me this requirement is hypocritical when the bill sponsor and his colleagues are ready to legalize the use of recreational marijuana, which is opposed by both medical and law enforcement experts, and when they recently removed the requirement that a physician certify a late-term abortion.

- Provide proof of purchase of firearm and ammunition safe storage depositories to the officer approving a permit. What permit? In most parts of our state, shotgun and rifle owners are not required to apply for a permit.
- Pass a criminal background check. This is already done at the federal level. Those wishing to purchase a shotgun or rifle are screened through the National Instant Criminal Background Check System. This helps ensure that criminals or those who cannot legally own them do not purchase firearms. The FBI has administered this program since 1998. In fact, more than 230 million such checks have been performed. According to statistics available through the FBI, more than 1.3 million denials have been issued. In most cases, those wishing to own a handgun must apply at a designated county office, be fingerprinted, and then successfully pass a police background check.

Does anyone really believe if legislation like this is passed it will do more to stop criminals or those intent on doing harm? The people who will pay the price for this legislation are law-abiding citizens who choose to purchase firearms, whether for hunting or personal protection.

It is time to stop playing politics and pass legislation that is clearly written, has been vetted by the public, and will truly protect our citizens without stripping the rights of law-abiding citizens.

As an elected official, I took an oath to uphold the Constitution of the United States of America, including the part that states, “the right of the people to keep and bear arms, shall not be infringed.” Proposals like Senator Parker’s bill infringe upon the right of law-abiding citizens and do little to safeguard our communities.

2019-S1412

- 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
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Relates to establishing additional requirements to purchase a firearm, shotgun or rifle

January 14, 2019

In Senate Committee [Codes](#)

Sponsored by [Kevin S. Parker](#)

Do you support this bill?