



NEW YORK STATE SENATOR

Chris Jacobs

## Jacobs Moves To Protect Privacy Rights of Gun Owners

SENATOR JACOBS November 8, 2019

| ISSUE: **PROTECTING SECOND AMENDMENT RIGHTS, GUN OWNERS PRIVACY RIGHTS**

(Buffalo, NY) – New York State Senator Chris Jacobs announced today that he has introduced legislation (S 6834) that would tighten privacy protections for gun owners at the time they apply for their permits, as well as when they recertify.

“My bill presumes gun owners prefer to keep their personal licensing and application information private from the general public, and it affords that protection by ensuring the information is only made public through a court order, or if the applicant chooses to allow public disclosure,” said Jacobs. “The automatic disclosure that exists today acts as a deterrent to applicants and an unnecessary infringement on the second amendment rights of lawful gun owners.”

Under current state law, when a resident applies for a pistol permit, personal information such as name and address automatically become part of the public record and accessible to anyone conducting a public search. To maintain confidentiality, applicants must formally opt out of public disclosure when they first apply, and at all re-certifications as required under New York’s SAFE Act. Jacobs’ bill reverses the roles for permit holders by requiring they opt in to any public disclosure.

Shortly before the SAFE Act was passed, public access to these records became problematic, most notably when the Journal News in White Plains published an article accompanied by an online database that included the names and addresses of more than 33,000 local handgun permit holders, leaving them to fear for their safety. A long-time supporter of the second amendment and strong supporter of privacy rights, Jacobs has been a vocal opponent of the SAFE Act.

In proposing the legislation, the Senator argues government's role is to proactively protect the rights of its citizens. He pointed to the need for permit holders to opt out, and his fight against the Department of Motor Vehicles refusal to publish opt out details so their driver information won't be sold to third parties, as examples of the state ignoring privacy rights to impose unpopular policies.

"New York State's assumptions that they can continue to infringe upon individual rights until a citizen finds out, or unless they say no, is a dangerous and unacceptable way of approaching public policy," said Jacobs. "It's a sad commentary that we have to pass new laws to force state government to adhere to existing laws, but that is where we are finding ourselves, and that is why I am sponsoring this bill and fighting for its passage," the Senator concluded.

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#### RELATED LEGISLATION

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### 2019-S6834

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- 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 protecting the personal and private information of persons granted a pistol permit

November 06, 2019

Stricken

Sponsored by **Chris Jacobs**

Do you support this bill?