



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senators Hoylman And Kaplan, Assembly Members Rosenthal And Lavine Introduce Comprehensive Legislation Package To Eliminate Dangerous Ghost Guns

BRAD HOYLMAN-SIGAL February 14, 2020

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Senator Kaplan and Assembly Member Lavine's bill, the "Scott J. Beigel Unfinished Receivers Act," named for the Hero Teacher of Marjory Stoneman Douglas High School, would expressly ban the sale and possession of "unfinished receivers" which can be easily built into an AR-15 in about an hour

Senator Hoylman and Assembly Member Rosenthal's bill, the "Jose Webster Untraceable Firearms Act," named for 16-year-old New Yorker who died from gun violence, would ban sale and possession of "ghost guns" and require all guns to be serialized so law enforcement can trace their sale

NEW YORK (February 14, 2020) – Today Senator Brad Hoylman (D/WF-Manhattan), Senator Anna M. Kaplan (D-Great Neck), Assembly Member Linda Rosenthal (D/WF-Manhattan) and Assembly Member Charles D. Lavine (D-Glen Cove) introduced comprehensive legislation to curb the manufacturing of "ghost guns," a class of weapons that do not have serial numbers and therefore cannot be traced by law enforcement. Many ghost guns are assembled from parts readily for purchase online, and allow the purchaser to obtain an untraceable weapon with no serial number without having ever been through the normal background check process required in New York State.

Because of recent advances in technology and the Trump administration's efforts to weaken applicable rules and regulations, ghost guns are an increasing public safety threat across the

United States.

Senator Brad Hoylman said: "With a cursory Google search, anyone can obtain an assembly kit containing parts, instructions and detailed templates for the technical work required to create their own "ghost gun." Law enforcement officials are speaking out, saying ghost guns are a clear and present danger in New York. Yet somehow, a loophole in federal law means this is all completely legal. Since 2018, I've been fighting to pass legislation to crack down on ghost guns in New York. Today, I'm thrilled to be introducing new legislation alongside my colleague Senator Kaplan that creates a comprehensive framework to crack down on ghost guns and keep our families safe from gun violence. My bill with Assembly Member Linda B. Rosenthal, the Jose Webster Untraceable Firearms Act, will ban "ghost guns" entirely while ensuring law enforcement have the tools they need to track the manufacture and sale of all guns in New York, so no one can use a loophole to evade the law. It would also require anyone manufacturing a gun in New York State to be licensed to do so. It's an honor to introduce this legislation in memory of Jose Webster who was tragically killed by gun violence."

"Today, on the second anniversary of the tragedy in Parkland that senselessly took the lives of 17 innocent people, including New York Native Scott J. Beigel, the hero teacher of Marjory Stoneman Douglas HS, we are re-committing to advancing the strongest gun safety legislation in the nation to stop these tragedies from happening in our communities. I'm very privileged to be able to work with Senator Hoylman on these efforts, as he has been fighting for common-sense gun safety legislation for many years." **said Senator Anna M. Kaplan.**

"Unfinished receivers are a serious threat to public safety, because they allow anyone to get their hands on dangerous, unregistered, and untraceable weapons with no serial number, and no background check. This loophole gives people an end-run around our existing gun safety laws and its unfortunately being exploited by people who would otherwise fail a

background check. I'm honored to introduce The Scott J. Beigel Unfinished Receiver Act with Assembly Member Lavine, which will close this dangerous loophole, and undoubtedly save lives, just like Scott did when he selflessly gave his life to shield his students from gunfire."

"I first introduced legislation to protect New Yorkers against dangerous and utterly unregulated ghost guns in 2013. Since then, technology has improved and it's easier than ever to produce a virtually undetectable weapon capable of mass destruction with little effort or expertise in the comfort of your own home. New York is home to some of the toughest gun laws in the country, and ghost guns undermine our safety and the efficacy of the SAFE Act. On the second anniversary of the devastating massacre at Parkland, I look forward to working with my colleagues State Senators Hoylman and Kaplan and Assemblymember Lavine, to see this package of bills become law," **said Assemblymember Linda B. Rosenthal (D/WF-Manhattan).**

"If you want to own a gun in New York, you need to go through a background check, and that gun needs to have a serial number. Period," **said Assemblymember Charles D. Lavine.** "The Scott J. Beigel Unfinished Receivers Act will serve as a fitting tribute to the hero teacher of Parkland Florida who saved his students at the expense of his own, because it will stop the flow of dangerous guns into our communities that take the lives of too many New Yorkers each year, and it's my honor and privilege to introduce it today with Senator Kaplan."

"The Jose Webster Untraceable Firearms Act" sponsored by Senator Brad Hoylman and Assembly Member Linda Rosenthal, prohibits the sale and possession of ghost guns and ensures law enforcement will be able to track the manufacture and sale of all guns in New York. The legislation:

- Defines a “ghost gun” as any firearm, rifle, or shotgun that isn’t serialized and registered in accordance with either state or federal law
- Prohibits the possession of ghost guns by anyone but a licensed gunsmith
- Prohibits the sale of ghost guns entirely
- Prohibits the manufacture or assembly of a firearm, rifle, or shotgun by anyone other than a licensed gunsmith
- Requires New York gunsmiths to serialize all firearms, rifles, shotguns, or unfinished frames or receivers they manufacture or assemble, and to register any such gun, or unfinished frame or receiver that isn’t otherwise covered by federal serialization law with the Division of State Police

"The Scott J. Beigel Unfinished Receivers Act" sponsored by Senator Anna M. Kaplan and Assembly Member Charles D. Lavine, specifically addresses the proliferation of "unfinished receivers" or "80% Receivers" which can be easily converted into operable firearms by people with limited skills. The legislation:

- Defines what constitutes an unfinished frame or receiver
- Makes it illegal to possess an unfinished frame or receiver without a gunsmith license
- Prohibits the possession of major components of a firearm, rifle, or shotgun by persons who are otherwise lawfully prohibited from possessing such weapons
- Makes it illegal to sell or transfer an unfinished frame or receiver to anyone other than a licensed gunsmith

Dix Hills, NY native Scott J. Beigel tragically lost his life due to senseless gun violence at Marjory Stoneman Douglas High School in Parkland, Florida, on February 14, 2018. Scott was a hero, an MSD teacher who gave his life to heroically protect his students. Scott was the truest of heroes in life, and remains one now. The Scott J. Beigel Unfinished Receiver Act is dedicated to his honor and in his memory, and is intended, just as Scott intended, to save lives.

In 2011, Jose Webster was shot 15 times while walking with his girlfriend near their home in the South Bronx. He had celebrated his 16th birthday just ten days earlier. Bullets from two different guns were pulled from his back and legs during the autopsy. Jose was a smart kid who got good grades; his sister Nathalie Arzu says "he had a smile that would light up the room."

Under the Gun Control Act (GCA) of 1968, it is illegal for an unlicensed person to make a firearm for sale or distribution. However, it has been interpreted that since these receivers are "unfinished," lacking holes necessary to attach a trigger mechanism and lacking necessary grooves to create a fire control cavity, they are not classified as firearms under the GCA.=

Drilling and milling of these unfinished receivers can be done at home by anyone using simple tools, allowing someone to circumvent the background check process that would normally be required in order to purchase a firearm or a finished frame or receiver, and ultimately obtain an untraceable, unregistered firearm.=

In recent months, law enforcement has identified ghost guns as a safety threat in New York. Individuals who are otherwise legally prohibited from owning guns are able to evade background checks and access untraceable firearms without serial numbers.

Police departments from Rochester to Syracuse to Albany to New York City have seized these weapons from those looking to use them to do harm, but our law enforcement community continues to sound the alarm about the need to crack down on these guns through legislation.