



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## New York State Senate Passes The Jose Webster Untraceable Firearms Act, The Nation's Toughest Ghost Gun Law

BRAD HOYLMAN-SIGAL July 23, 2020

| ISSUE: **GHOST GUNS, GUN VIOLENCE PREVENTION, SD 27, SENATOR BRAD HOYLMAN, JOSE WEBSTER UNTRACEABLE FIREARMS ACT**

NEW YORK—Today, the New York State Senate passed the Jose Webster Untraceable Firearms Act ([S.7763-A/A9903](#)), sponsored by Senator Brad Hoylman and Assembly Member Linda B. Rosenthal. The legislation would create the strongest protections in the nation against so-called “ghost guns,” dangerous and untraceable weapons with no serial numbers that circumvent New York’s gun safety laws. Senator Hoylman and Assemblyman Rosenthal’s bill was named in honor of Jose Webster, a 16-year-old from the South Bronx who was shot and killed in 2011.

**Senator Hoylman said:** “The COVID-19 crisis has made our nation’s epidemic of gun violence even worse. Retailers report sky-high demand for ghost guns, untraceable weapons that can evade even New York’s historically strong gun safety regulations. The Jose Webster Untraceable Firearms Act, which I’m proud to sponsor with Assembly Member Rosenthal, will ban the sale and possession of ghost guns and ensure law enforcement has the necessary tools to track the manufacture and sale of all guns in New York. Together with the Scott J. Beigel Unfinished Receiver Act sponsored by Senator Kaplan and Assembly Member Lavine, our bills form a comprehensive package of legislation to crack down on ghost guns. I’m honored to pass this bill today in memory of Jose Webster, a teenager from New York

City who lost his life due to gun violence, and I'm deeply grateful for the advocacy and support of his sister Nathalie and for the leadership of Senate Majority Leader Andrea Stewart-Cousins."

**Senator Anna M. Kaplan said:** "For years, New Yorkers have demanded action from Albany to close the dangerous loopholes that allow untraceable ghost guns to be obtained by people who would otherwise be unable to obtain a legal firearm, and with the Coronavirus pandemic exacerbating our existing gun violence epidemic, we need to take action to protect our community. The Scott J. Beigel Unfinished Receiver Act, which I'm proud to sponsor, along with the Jose Webster Untraceable Firearms Act, sponsored by Senator Brad Hoylman, will close these dangerous loopholes, and ensure that all guns have a serial number, and that no gun buyer can evade the legal background check process. I'm proud to pass this bill honoring Scott J. Beigel, the hero teacher of Parkland Florida, who senselessly lost his life to gun violence at Marjory Stoneman Douglas High School while protecting his students, because I know this bill will save lives, just like Scott did. I'm so grateful to Scott's parents Linda and Michael for their passionate advocacy for sensible gun safety laws, to Senator Hoylman for his leadership and partnership on this legislation, and I'm thankful for the leadership of Senate Majority Leader Andrea-Stewart Cousins for always ensuring that this body is responsive to the needs of New Yorkers."

"Ghost guns have been a scourge for years, and that is why I first introduced legislation to regulate them back in 2013," said **Assemblymember Linda B. Rosenthal (D/WF-Manhattan)**. "I commend State Senate Brad Hoylman for passing this bill out of the New York State Senate. To get one step closer to a world in which school children do not have to participate in active shooter drills, we must pass this bill in the New York State Assembly as well."

"I am honored that legislation named after my brother by Senator Hoylman has not only been introduced but passed the Senate today," said **Nathalie Arzu, a member of the Everytown**

**Survivor Network, whose brother, Jose Webster, was shot and killed just blocks from their home in 2011.** “I am hopeful this legislation will see the same success in the Assembly this session, so no one will ever have to experience what our family has.”

The Jose Webster Untraceable Firearms Act ([S.7763-A/A9903](#)) 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, frame or receiver that isn’t otherwise covered by federal serialization law with the Division of State Police

During the COVID-19 crisis, [gun violence has spiked](#); so has sales of firearms and ghost guns. At the beginning of the pandemic, gun manufacturers [reported](#) massive sales of ghost gun kits; at least 16 manufacturers told customers they were experiencing shipping delays due to a high volume of orders. This month, the [FBI reported](#) there were 3.9 million background checks in the month of June, a record high. In June, a 22-year-old man [was arrested](#) in Troy after illegally carrying a ghost gun.

**Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence, said:** "During the Covid-19 pandemic, there has been an uptick in untraceable ghost gun cases and a surge in

gun violence in New York and across the nation. Given the lack of federal action, New York State must stop the flow of unserialized ghost guns by strengthening our state's gun safety laws. Today, we applaud Senator Brad Hoylman and the NYS Senate for passing the Jose Webster Untraceable Firearms Act, which would prohibit the manufacture and sale of untraceable “ghost guns” and make our communities safer. "

**David Pucino, Staff Attorney at the Giffords Law Center, said:** “Ghost guns present a growing threat to New Yorkers. These untraceable weapons are tragically being used in shootings across the country, often by individuals who couldn’t pass a background check. New York is a nationwide leader on gun safety and we applaud Senators Hoylman and Kaplan for their leadership on this critical public safety issue in the NY Senate and urge the NY Assembly to swiftly pass these life-saving pieces of legislation.”

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#### RELATED LEGISLATION

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### 2019-S7763A

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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
- 

Enacts the Jose Webster untraceable firearms act

February 14, 2020

In Assembly Committee

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?