

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
December 11, 2023

Intro. No. 23
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: ___ Ayes to ___ Noes
Name of Noes _____

RE: RESOLUTION SUPPORTING SENATE BILL S07645 AND ASSEMBLY BILL A08185 REPEALING THE STATE FEE FOR BACKGROUND CHECKS ON CERTAIN FIREARM AND AMMUNITION PURCHASES — COUNTY CLERK’S DEPARTMENT

WHEREAS, on July 1, 2022, Governor Kathy Hochul signed into law Bill S51001, referred to as the “Concealed Carry Improvement Act” (CCIA) which amended the Penal Law, the General Business Law, the Executive Law, the Civil Practice Law and Rules, and the State Finance Law, in relation to licensing and other provisions relating to firearms, and

WHEREAS, said Act included regulations that allow the State to have oversight over background checks for firearms and ammunition purchases, and

WHEREAS, said Act amended State Executive Law to add a new Section 228, authorizing the New York State Police to run National Instant Criminal background (NICS) checks and serve as a State point of contact rather than utilizing the current NICS Background Check System, and

WHEREAS, said Act also created a new bureau within the State Police financed by new “background check fees” upon purchasers to cover the costs associated with performing state background checks, and

WHEREAS, these provisions of the so-called CCIA have resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase with the potential for increases without legislative approval, and

WHEREAS, the CCIA infringes on the inalienable right to keep and bear arms guaranteed by the Second Amendment, and

WHEREAS, Senate Bill S07645 and Assembly Bill A08185 would repeal Subdivision 5 of Section 228 of the Executive Law of S51001 relating to the background check fees for firearms and ammunition as included in the CCIA.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby endorses Senate Bill S07645 and Assembly Bill A08185 to repeal certain provisions of the Executive Law establishing a fee for background checks on certain firearm and ammunition purchases and amends state finance law, in relation to the source of funds for the background check fund, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to New York State Governor Kathy Hochul, Senator Thomas F. O’Mara, Assemblyman Philip A. Palmesano, Inter-County Association of Western New York, the New York State Association of Counties, and all others deemed necessary and proper.