



NEW YORK STATE SENATOR

Zellnor Myrie

Senate Passes Myrie Bill To Require Unique Category Codes For Gun Retailers

ZELLNOR MYRIE June 4, 2024



Requires Credit Card Companies to Adopt

Merchant Category Codes for Gun Purchases in New York

ALBANY– The Senate today passed legislation sponsored by **Senator Zellnor Y. Myrie (D-Central Brooklyn)** requiring credit card processors to assign a unique tracking code to gun and ammunition dealers in New York State. **The bill would help card-issuing financial institutions identify and report suspicious gun and ammunition purchasing activities**, consistent with their obligations to report other suspicious or illicit activity.

"We must use every tool at our disposal to fight the gun violence epidemic in our communities," **said Senator Myrie, who has championed the issue of Merchant Category Codes (MCCs) for gun sales since 2022.** "Yet for too long, those who facilitate and profit from gun violence have escaped scrutiny. This bill would give law enforcement another tool to pinpoint suspicious purchasing patterns and prevent a tragedy before it occurs."

The bill was included in a package of gun violence prevention legislation passed in recognition of Gun Violence Awareness Month. **[Click here for video of Senator Myrie's remarks.](#)**

MCCs are four-digit codes used by credit card companies to classify merchants and businesses by the type of products they sell. MCCs exist for retailers that sell products as specific as electric razors, wigs and alarm clocks. But pressure from the gun industry has blocked implementation of a code for gun sales, which are currently coded as "sporting goods" or "other."

In 2022, **Senator Myrie spearheaded a letter from over 50 colleagues** urging the CEOs of Mastercard and American Express to adopt a new MCC for firearm retailers.

Senator Myrie's legislation would require issuers of debit and credit cards (typically banks and credit unions) to make the MCC code available to credit card processors, and requires processors to assign the code to ammunition and gun dealers. Compliance would be required by May 2025, and would be enforceable by the Attorney General.

"Financial institutions should be able to detect unusual card activity concerning the purchase of firearms and ammunition," **said Assembly Member Michaelle C. Solages (D-Elmont), who sponsors the bill in the Assembly.** "Suspicious purchases made at a firearm retailer should be much more heavily scrutinized than they are currently. Too many lives are at risk if we do not take this critical step requiring financial institutions to improve detection of

these purchases. I thank Senator Myrie and his colleagues in the Senate for taking action on this legislation, and I urge the Assembly to pass this bill as soon as possible.”

“Merchant Category Codes save lives, plain and simple,” **said Kris Brown, President of Brady.**

“It defies common sense that industry-specific MCCs are applied to nearly every type of business but not gun and ammunition sellers. The use of these codes is not new; MCCs can already be used to identify human trafficking and fraud. By utilizing the MCC for firearms retailers, we have the potential to identify gun traffickers, take notice when people are building an arsenal of weapons, and stop gun violence before it starts. Having additional tools in identifying and stopping gun traffickers cannot wait another year. As New York acts, so does the nation. Brady is thankful for the courageous action from our partners in the New York State Senate for passing this consequential law that will bring New York closer to a future free from gun violence.”

“Gun violence continues to plague New York's communities and is the leading cause of death for children in this state,” **said Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence.** “Given the number of guns that are purchased with credit cards, a merchant category code for firearm sales is a necessary tool to track and report suspicious firearm transactions to law enforcement. New York has MCCs for all kinds of consumer goods and it's time to have the same identifying code for gun sales too. We applaud the Senate Majority for passing Senator Myrie's MCC bill today and urge the Assembly to follow their lead.”

“Illegal gun trafficking and straw purchases are two major contributors to our gun violence crisis and this bill will give law enforcement another tool to help identify these and other suspicious transactions,” **said Barry Graubart, a volunteer with the New York chapter of Moms Demand Action.** “New York already has some of the strongest gun safety laws in the country and using credit and debit card merchant codes to identify potentially illegal or dangerous firearm and ammunition purchases is another common sense step towards keeping our

communities even safer. We're grateful to Senator Myrie for his leadership in getting this bill through the Senate, and urge the Assembly to pass Assemblymember Solages' companion bill and send it to the Governor's desk."

"The passage of this bill puts the safety and freedom of the people of New York over gun industry profits," **said Hudson Munoz, Executive Director of Guns Down America.** "Nearly every other retailer is labeled with a Merchant Category Code and there should be no exception for gun sellers — especially as dozens of gun crimes have been committed using credit cards, from gun trafficking to terrorism to mass shootings. The proper implementation of the gun store code could help firearm retailers, banks, and credit card companies detect and deter the suspicious activity and fraud that precedes these crimes, improving the lives of all New Yorkers. We are proud to support Senator Myrie's legislation and hope more states stand up for their people by ending the gun industry's heyday of profiting handsomely from the sale of an inherently dangerous product with limited oversight or scrutiny."

"Over the past several years, New York has enacted some of the strongest gun laws of any state in the country," **concluded Senator Myrie.** "This legislation builds on our efforts, but our work is still not done. I look forward to taking even more steps alongside my colleagues to keep our streets and communities safe from gun violence."

Background

Reporting has shown that between 2007 and 2018 credit cards were used to finance at least eight mass shootings. This includes the Pulse Nightclub shooter who opened six new credit card accounts and purchased more than \$19,000 worth of weaponry, and whose Google search history included "*why banks stop your purchases.*" None of the financial institutions involved in these transactions flagged any of the purchases as suspicious.

In 2021, **Senator Myrie wrote the nation's first gun industry accountability law**, allowing civil suits in state court against reckless and irresponsible gun companies. Since then, the law has

survived several rounds of court challenges and has been adopted in seven other states across the US. In recognition of his leadership in 2021, Everytown named Senator Myrie its Gun Sense Lawmaker of the Year and he received the Founders' Award from New Yorkers Against Gun Violence.