



NEW YORK STATE SENATOR

William Larkin

New Laws To Get Illegal Guns Off Our Streets

[WILLIAM J. LARKIN JR.](#) December 6, 2006

This week Senator Bill Larkin reports to residents that several new laws have taken effect that will increase the penalties for those who illegally possess a loaded firearm.

"I am very pleased that we were successful in getting these tougher gun laws on the books, especially raising the mandatory minimum sentence to 3 ½ years" said Senator Larkin. "The new laws will give police officers and law enforcement officials the ability to really remove these threats and those who illegally possess loaded weapons from our streets."

The new law signed today raises the felony level for the crime of possession of a loaded firearm from a D violent felony (Criminal Possession of a Weapon in the Third Degree) to a C violent felony (Criminal Possession of a Weapon in the Second Degree).

According to the New York State Department of Criminal Justice, almost 40% of first-time felons convicted in 2005 of possession of a loaded firearm did not receive the mandatory minimum sentence.

The previous sentence for a first conviction of this offense was a mandatory minimum of one year, with a maximum determinate term of 7 years. A separate exception, however, allowed the Courts to impose a sentence of probation—the same penalty available for shoplifting a pack of gum.

Under the new law, a minimum of 3 1/2 years and a maximum of 15 years will be the penalty.