



NEW YORK STATE SENATOR

Patrick M. Gallivan

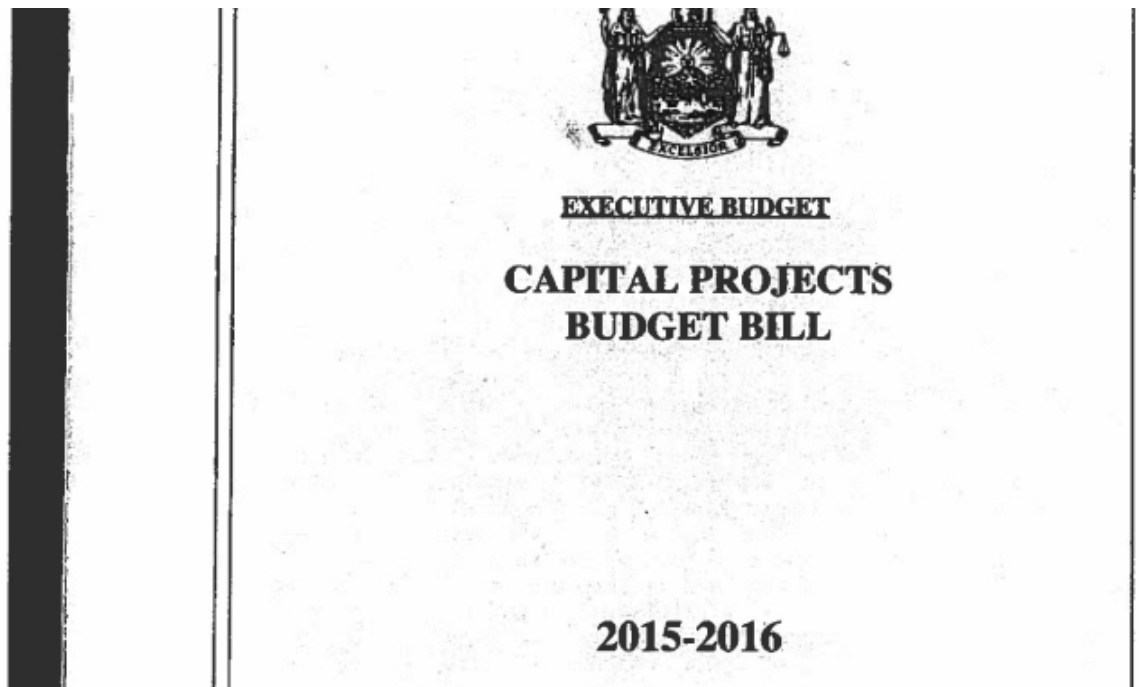
Clarifying Information About the SAFE Act & the 2015 NYS Budget

Patrick M. Gallivan

April 10, 2015

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As you may know, I have co-sponsored no less than three bills to repeal the SAFE Act, a law I voted against in 2013. I believe the legislation was ill conceived, poorly written and infringes on the rights of law abiding citizens.

While our efforts to repeal the law have been thwarted to date, I have also sponsored several bills to reform the SAFE Act in hopes of chipping away at the most onerous aspects of the law.

There has been much speculation and misinformation regarding “funding” for the SAFE Act, much of which is not accurate. I will attempt to clarify:

Funding for the SAFE Act was never discretely lined out in any of the enacted budgets since the creation of the statute in 2013. Staff from the Division of the State Police, Division of Criminal Justice Services and the Office of Information Technology Services must work on numerous components of state law enforcement, including the SAFE Act. Personnel in each of these agencies are not discretely lined out in the respective budgets as it relates to the SAFE Act.

Specifically:

1. The State Operations Budget includes funding for the State Police in lump sum appropriations to work on various programs. There was no new funding for, nor is any funding for the SAFE Act discretely lined out.
2. The State Operations Budget includes funding for the Division of Criminal Justice Services. The Division does have employees working on aspects of the SAFE Act as well as every other DCJS program. However these positions are not new and not specifically for the enforcement of the SAFE Act.
3. The FY 2016 Enacted Budget does include a re-appropriation of \$50 million from the original \$87 million appropriation in the FY 2014 Information Technology Budget. From this original Information Technology Budget, the Division of Budget identified \$8 million dollars that has been spent on various components of the SAFE Act. An additional \$7 million was to have been used for an Ammunition Sales Database. The adopted FY 2016 budget includes a reduction of the \$7 million that would have been used to establish the database. This reduction can be found in S.2004-C/A.3004-C page 311 of the Capital Budget under the Office of Information Technology Service Budget. (Please see attachment)

Going forward, our efforts to repeal and, when possible, defund the SAFE Act will continue.