



NEW YORK STATE SENATOR

Thomas F. O'Mara

Senate approves legislation co-sponsored by O'Mara to repeal key parts of NY SAFE Act (UPDATED)

THOMAS F. O'MARA June 8, 2015

| ISSUE: **GUN CONTROL**

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Albany, N.Y., June 8—The New York State Senate today approved legislation co-sponsored by Senator Tom O'Mara (R,I,C-Big Flats) to repeal key provisions of the NY SAFE Act, which was signed into law by Governor Andrew Cuomo two years ago.

O'Mara **was one of 18 state senators who voted against the SAFE Act** when it was first approved in January 2013.

"Local, grassroots opposition to the SAFE Act remains as strong as ever, and I continue to stand with many citizens and local leaders from across the Southern Tier and Finger Lakes

regions in calling for its repeal,” said O’Mara. “We understand that the odds are more than long that Governor Cuomo or the downstate, Assembly Democratic leadership will ever suddenly reverse course and agree to repeal it. But this opposition is having a lasting impact. The SAFE Act remains the vehicle giving voice to the importance of the Second Amendment. The NY SAFE Act goes too far to infringe upon the Second Amendment rights of law-abiding, responsible citizens throughout my legislative district and statewide.”

[UPDATE, June 9: [Read a statement on yesterday's Senate action from the New York State Rifle and Pistol Association.](#)]

The legislation (S.5837) O’Mara co-sponsors would:

- repeal the requirement of a background check for ammunition purchases. The State Police have been unable to articulate a feasible manner to implement this provision during legislative budget hearings over the past two years and Senate Republicans were successful in removing funding for such a system in this year's budget;
- repeal the prohibition against gun owners gifting certain firearms to an immediate family member upon the owner’s death; and
- repeal the requirement that individual pistol permit applications and supporting records are public records subject to the state’s Freedom of Information Law (FOIL).

Today’s legislation would also:

- restore the responsibility to county clerks to oversee handgun recertifications, and shift control of the state’s pistol permit database away from the State Police to an administrative, non-law enforcement agency;;
- clarify, simplify and strengthen SAFE Act provisions concerning mental health reporting, which would require notice of such referral and establish an appeals process; and
- require that statistical data on the number of firearms registrations and recertifications be made public, a move strongly supported by gun-rights advocates.

The measure does not eliminate the provision of the original SAFE Act (Chapter 1 of the Laws of 2013) mandating a prison sentence of life without parole for the murder of emergency personnel, which was included in the measure in response to the December 2012 tragedy in Webster, New York in which a gunman ambushed and killed two firefighters.