



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Nearly Three Years After the Parkland School Shooting, NYS Senate Passes Legislation From Sen. Hoylman & Sen. Kaplan Cracking Down on "Ghost Guns"

BRAD HOYLMAN-SIGAL February 10, 2021

| ISSUE: **GHOST GUNS, GUN VIOLENCE PREVENTION, SENATOR BRAD HOYLMAN, SD 27**

ALBANY, NY - Today, the New York State Senate passed legislation sponsored by **Senator Brad Hoylman** (D/WFP-Manhattan) and **Senator Anna M. Kaplan** (D-Great Neck) to crack down on “ghost guns,” untraceable firearms used by criminals to evade background checks. The Jose Webster Untraceable Firearms Act ([S.14](#)), sponsored by Senator Hoylman, and the Scott J. Beigel Unfinished Receivers Act ([S.13](#)), sponsored by Senator Kaplan, would create the strongest protections in the nation to protect New Yorkers from these dangerous weapons. The legislation passed the New York State Senate nearly three years after the tragic school shooting in Parkland, Florida on February 14, 2018.

Senator Brad Hoylman said: “Nearly 10,000 ghost guns were recovered by law enforcement nationally in 2019 according to ATF—that’s thousands of dangerous firearms in the hands of individuals who didn’t have to pass a background check. New York enacted historic gun safety legislation in 2013, but these untraceable weapons can evade the strong protections we fought so hard to pass. In the midst of a global pandemic, traditional gun sales hit record highs and ghost gun retailers reported sky-high demand. New Yorkers need to be protected from these dangerous weapons, and that’s why I’m proud to sponsor the Jose Webster

Untraceable Firearms Act with Assembly Member Linda B. Rosenthal. Our bill will ban the sale and possession of ghost guns and ensure law enforcement has the necessary tools to track the manufacture and sale of all guns in New York. I'm pleased it has passed today alongside the Scott J. Beigel Unfinished Receiver Act, legislation sponsored by Senator Anna Kaplan and Assembly Member Charles Lavine, making up a comprehensive legislative package that will provide New Yorkers with the strongest ghost gun protections in the nation. I'm honored to pass this bill today in memory of Jose Webster, a teenager from New York City who lost his life due to gun violence. I'm deeply grateful for the advocacy and support of his sister Nathalie Arzu and for the leadership of Senate Majority Leader Andrea Stewart-Cousins."

Senator Anna M. Kaplan said: "If you can't pass a background check to obtain a firearm legally, then you shouldn't be able to circumvent the process by making your own out of parts you bought online either. The 'unfinished receiver loophole' in our gun laws allows too many dangerous ghost guns into our community every year, and with the rise of extremism across the country driving huge demand for these untraceable weapons, we must take action to close it right away. As we mark three years since the tragedy in Parkland, Florida, I couldn't be more proud to sponsor 'The Scott J. Beigel Unfinished Receiver Act,' which will close the dangerous unfinished receiver loophole, because I know that it will save lives, just like Scott Beigel did when he gave his life to protect his students from gunfire during the attack on Marjory Stoneman Douglas High School. I'm so grateful to Scott's parents Linda and Michael for their passionate advocacy for sensible gun safety laws, to Senator Brad Hoylman for his leadership and partnership on this legislation, and I'm thankful for the leadership of Senate Majority Leader Andrea-Stewart Cousins for always ensuring that the Senate is responsive to the needs of our community."

During the COVID-19 crisis, [gun violence has spiked](#); so has sales of firearms and ghost guns. At the beginning of the pandemic, gun manufacturers [reported](#) massive sales of ghost gun kits; at least 16 manufacturers told customers they were experiencing shipping delays due to a high volume of orders.

Ghost guns continue to pose a threat, both in New York and nationwide. Just last week, a [36 year-old Saratoga County man](#) pled guilty to firearm charges after admitting he conspired to build and sell ghost guns. [ProPublica reported](#) that the “Boogaloo Boys,” a right-wing militia group involved with the January 6 Capitol riots, have embraced ghost guns as one of their preferred weapons.

“With gun violence surging in New York due to the pandemic, our state must take action again to strengthen our gun safety laws,” said **Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence**. “The number of untraceable ghost-gun cases in New York and across the country has continued to grow, and together, the Scott J. Beigel Unfinished Receiver Act and the Jose Webster Untraceable Firearms Act would help stop the flow of unserialized ghost guns and prevent gun violence within our communities. We applaud Senator Anna Kaplan, Senator Brad Hoylman, and the NYS Senate for their leadership and for keeping our communities safe during this unprecedented period of upheaval.”

David Pucino, Senior Staff Attorney at Giffords Law Center said: “Ghost guns are a clear threat to New Yorkers as they allow individuals who couldn’t pass a background check access to untraceable firearms,” said David Pucino, Senior Staff Attorney, Giffords Law Center. “These dangerous weapons are guns, and need to be regulated like guns. We applaud Senators Holyman and Kaplan for their dedication to this critical public safety issue and urge the Assembly to swiftly pass these life-saving pieces of legislation and continue New York’s tradition of standing as a nationwide leader on gun safety.”

Kris Brown, President of Brady: United Against Gun Violence said: “Untraceable firearms, so-called ‘ghost guns,’ pose a significant threat to public safety and undermine law enforcement efforts because they circumvent nearly all existing firearm safety laws and regulations. Because of this, we are increasingly seeing these unregulated and untraceable weapons used in criminal activity. The Jose Webster Untraceable Firearms Act is a common-sense and comprehensive fix to stop the proliferation of ghost guns in New York and we are grateful that Senator Holyman has prudently and proactively acted to address this threat.”

Linda Beigel Schulman, mother of Scott J. Beigel, said "On February 14, 2018, my son Scott J. Beigel was murdered during the Marjory Stoneman Douglas High School Massacre while protecting and saving the lives of his students. Since that horrible day, I have made my life's mission to work to protect people from senseless and preventable gun violence through the enactment of reasonable gun safety legislation. I am truly overwhelmed and humbled by the actions of Senator Anna Kaplan, Senator Brad Hoylman, and the New York State Senate today in honoring Scott with the passage of Scott J. Beigel Unfinished Receiver Act. The Scott J. Beigel Unfinished Receiver Act addresses the latest continuing threat from gun violence, Ghost Guns. Ghost Guns are untraceable firearms. The only person who would purchase a Ghost Gun is someone who cannot pass a background check. Senator Anna Kaplan is by far one of the most honest, dedicated and caring individuals we have working for us in our government. My sentiments are not because this bill is named in honor of my son Scott. My sentiments come from working with and knowing the person, Anna Kaplan. Anna Kaplan fights for what she believes in. Anna Kaplan fights for the good for all of us. Anna Kaplan fights for what she knows will keep us all safe from totally unnecessary and preventable gun violence. We all need to give thanks to Senator Anna Kaplan for her caring, listening, and continuous fighting, against all odds, for all of us. That being said, this legislation is only the first step. When passed by the New York State Assembly and signed by Governor Cuomo, this legislation will save lives. This legislation will help keep us all safe

from senseless and preventable gun violence."

Scott Pappalardo, a volunteer with New York Moms Demand Action said: We thank our Senators for their continued dedication to getting untraceable, undetectable ghost guns off our streets. Guns without serial numbers, assembled with parts that can be delivered to doorsteps without a background check, are a threat to all of our safety. We'll rest easier once we know these DIY guns will be regulated and will continue to fight to make that happen."

"The Jose Webster Untraceable Firearms Act" sponsored by Senator Brad Hoylman, prohibits the sale and possession of ghost guns and ensures law enforcement will be able to track the manufacture and sale of all guns in New York. The legislation:

- Defines a "ghost gun" as any firearm, rifle, or shotgun that isn't serialized and registered in accordance with either state or federal law
- Prohibits the possession of ghost guns by anyone but a licensed gunsmith
- Prohibits the sale of ghost guns entirely
- Prohibits the manufacture or assembly of a firearm, rifle, or shotgun by anyone other than a licensed gunsmith
- Requires New York gunsmiths to serialize all firearms, rifles, shotguns, or unfinished frames or receivers they manufacture or assemble, and to register any such gun, or unfinished frame or receiver that isn't otherwise covered by federal serialization law with the Division of State Police

Senator Hoylman's legislation is named in memory of [Jose Webster](#), a young man from The Bronx killed by gun violence in 2011. Webster's sister, Nathalie Arzu, has become a gun violence prevention advocate.

"The Scott J. Beigel Unfinished Receivers Act", sponsored by Senator Anna M. Kaplan, specifically addresses the proliferation of "unfinished receivers" or "80% Receivers" which can be purchased online without a background check and which are easily converted into operable firearms by people with limited skills. The legislation:

- Defines what constitutes an unfinished frame or receiver
- Makes it illegal to possess an unfinished frame or receiver without a gunsmith license
- Prohibits the possession of major components of a firearm, rifle, or shotgun by persons who are otherwise lawfully prohibited from possessing such weapons
- Makes it illegal to sell or transfer an unfinished frame or receiver to anyone other than a licensed gunsmith

Senator Kaplan's legislation is named in memory of [Scott J. Beigel](#), the hero teacher of Marjory Stoneman Douglas High School who lost his life during the shooting nearly three years ago while shielding his students from gunfire. Beigel's parents, Linda Beigel Schulman and Michael Schulman of Long Island, are nationally recognized advocates in the fight against gun violence.

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