



NEW YORK STATE SENATOR

Anna M. Kaplan

## Kaplan Bill Combating Hate on Social Media Signed Into Law with Landmark Legislative Package to Prevent Gun Violence

ANNA M. KAPLAN June 6, 2022

| ISSUE: [GUN LEGISLATION](#), [GUN LAWS](#), [SOCIAL MEDIA](#), [GUNS](#), [BUFFALO MASS SHOOTING](#)



**Comprehensive Ten-Bill Package Closes Critical Gun Law Loopholes Exposed in Tragic Shootings in Buffalo and Uvalde**

**Legislation S.9458/A.10503 Bars Purchase of Semiautomatic Rifles by Anyone Under Age 21 by Requiring a License**

**Legislation S.9407-B/A.10497 Prohibits Purchase of Body Armor with Exception of Those in Specified Professions**

**Legislation S.9113-A/A.10502 Expands List of People Who Can File Extreme Risk Protection Orders and Requires Law Enforcement to File ERPOs Under Specified Set of Circumstances**

**Package Also Strengthens Crime Reporting; Closes "Other Gun" Loophole; Requires Microstamping of New Semiautomatic Pistols; Eliminates Grandfathering of High-Capacity Feeding Devices; Requires Social Media Companies to Improve Response to and Reporting of Hateful Content**

CARLE PLACE, NY (June 6, 2022) -- Governor Kathy Hochul today signed a landmark legislative package to immediately strengthen the state's gun laws, close critical loopholes exposed by shooters in Buffalo and Uvalde and protect New Yorkers from the scourge of gun violence that continues to infect our nation and endanger our communities. The package includes legislation by Senator **Anna M. Kaplan** (D-North Hills) that addresses the proliferation of hate on social media which helped to radicalize the racist domestic terrorist who recently murdered 10 innocent Black New Yorkers in a Buffalo supermarket.

"Gun violence is an epidemic that is tearing our country apart. Thoughts and prayers won't fix this, but taking strong action will," **Governor Hochul said**. "In New York, we're taking bold

steps to protect the people of our state. I am proud to sign a comprehensive bill package that prohibits the sale of semiautomatic weapons to people under 21, bans body armor sales outside of people in select professions, closes critical gun law loopholes and strengthens our Red Flag Law to keep guns away from dangerous people—new measures that I believe will save lives. I am thankful to Majority Leader Stewart-Cousins, Speaker Heastie, and all our legislative partners for acting with the urgency and thoughtfulness that this issue demands. While we are taking expedient action to enhance New York State's nation-leading gun laws, we recognize that gun violence is a nationwide problem. I once again urge Congress to follow our lead and take immediate action to pass meaningful gun violence prevention measures. Lives depend on it."

**State Senator Anna M. Kaplan said,** "The racist domestic terrorist who murdered 10 innocent Black New Yorkers in a Buffalo supermarket was radicalized online in an environment where hate speech is encouraged and where there are few options for people of good conscience to sound the alarm about what's going on there. We all know the expression "if you see something, say something," but unfortunately, many social media platforms make it impossible to speak out when you see something dangerous or harmful online. My legislation will empower social media users to keep virtual spaces safer for all by providing clear and consistent reporting mechanisms to flag hate speech, and with the devastating consequences of hate all around us getting worse by the day, we need to take this action right away. I'm grateful for Governor Hochul's leadership in signing this legislation along with the entire gun safety package we passed last week, and I'm thankful for my partnership with Assemblywoman Patricia Fahy on this bill."

Signed into law less than one month after the tragic white supremacist act of terror at a Buffalo supermarket, this comprehensive ten-bill package will: ban the sale of

semiautomatic rifles to anyone under 21 by requiring a license; prohibit the purchase of body armor by anyone not engaged in an eligible profession; strengthen the Red Flag Law by expanding the list of people who can file for Extreme Risk Protection Orders (ERPOs) and requiring law enforcement to file ERPOs under a very specified set of circumstances; make threatening mass harm a crime; require microstamping for new semiautomatic handguns; enhance information sharing between state, local and federal agencies when guns are used in crimes and strengthen requirements for gun dealers related to record-keeping and safeguarding their inventory; close the "other gun" loophole by revising and widening the definition of a firearm; eliminate the grandfathering of large capacity feeding devices; and require social media platforms to provide a mechanism for users to report hateful conduct.

The bills signed into law include:

- **Combating Hate on Social Media with Better Reporting Mechanisms:** [S.4511A](#), sponsored by **Senator Anna Kaplan**, requires social media networks to provide and maintain mechanisms for reporting hateful conduct on their platform.
- **Require a Permit to Purchase a Semi-Automatic Rifle and Require Buyers to be 21 or Older:** [S.9458](#) would establish a permit to purchase or take possession of semiautomatic rifles without affecting currently-owned semi-automatic rifles. Permits are only available to people over the age of 21, and require a safety course and background checks.
- **Make the Threat of Mass Harm a Crime:** [S89B](#) establishes the crime of making a threat of mass harm and aggravated threat of mass harm. This legislation clearly defines the criminality of those threats.
- **Require Pistols to Microstamp Ammunition:** [S4116A](#) requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of microstamping ammunition.

- **Strengthen Background Checks:** [S4970A](#) requires enhanced reporting by law enforcement to the state and federal gun databases and requires gun dealers to enact uniform security and reporting standards.
- **Strengthen the Red Flag Law:** [S9113A](#) authorizes certain health care providers to apply for an extreme risk protection order against a patient. The bill also requires police and district attorneys to apply for an extreme risk protection order if there is probable cause that a person poses a threat.
- **Ban Large Capacity Ammo and Feeding Devices:** [S9229A](#) eliminates the grandfathering of large capacity ammunition feeding devices that were lawfully possessed prior to the enactment of the SAFE Act.
- **Ban the Sale of Body Armor to Civilians:** [S9407B](#) prohibits the unlawful purchase and the unlawful sale or delivery of a body vest to anyone other than a member of law enforcement or the military.
- **Expand the Definition of Firearm to Regulate Guns Purposely Designed to Evade Regulation:** [S9456](#) expands the definition of a "firearm" to include any weapon not defined in the Penal Law that is designed or may readily be converted to expel a projectile by action of an explosive. This is intended to capture firearms that have been modified to be shot from an arm brace, which are evading our current definitions of firearms and rifles.
- **Create a Task Force on Social Media and Violent Extremism:** [S.9465](#) creates a new Task Force on Social Media and Violent Extremism in the Attorney General's office to study and investigate the role of social media companies in promoting and facilitating violent extremism and domestic terrorism online.

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## 2021-S4511A

hate crimes, Social Media, anti-hate, anti-semitism hate crime, combating Islamophobia

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Requires social media networks to provide and maintain mechanisms for reporting hateful conduct on their platform

February 05, 2021

Senate Floor Calendar

Sponsored by Anna M. Kaplan

Do you support this bill?

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## 2021-S9465

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes the task force on social media and violent extremism; and requires the domestic terrorism task force report to be delivered to the attorney general

May 30, 2022

Signed by Governor

Sponsored by **Jamaal T. Bailey**

Do you support this bill?

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## 2021-S4970A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Requires the creation and imposition of restrictive commercial practices and stringent recordkeeping and reporting to prevent gun and ammunition sales to individuals with a criminal record

February 19, 2021

Signed by Governor

Sponsored by **Brian Kavanagh**

Do you support this bill?

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## 2021-S89B

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes the crimes of making a threat of mass harm and aggravated threat of mass harm

December 18, 2020

Signed by Governor

Sponsored by **Todd Kaminsky**

Do you support this bill?

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## 2021-S9229A

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- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
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Relates to the definition of large capacity ammunition feeding device for purposes of the offense of criminal possession of a weapon in the third degree; and repeals section 265.36 of the penal law

May 12, 2022

Signed by Governor

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

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**2021-S9456**

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- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
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Relates to defining firearm

May 30, 2022

Signed by Governor

Sponsored by [Luis R. Sepúlveda](#)

Do you support this bill?

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**2021-S4116A**

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- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Requires semiautomatic pistols manufactured or delivered to any licensed dealer in this state to be capable of microstamping ammunition

February 02, 2021

Senate Floor Calendar

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?

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**2021-S9113A**

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- Introduced
  - In Committee Assembly
    - In Committee Senate
  - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - Passed Assembly
    - Passed Senate
- Delivered to Governor
- Signed By Governor
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Authorizes certain health care providers to file an application for an extreme risk protection order against a person examined by such health care provider in certain circumstances

May 09, 2022

Signed by Governor

Sponsored by James Skoufis

Do you support this bill?

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**2021-S9407B**

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- Introduced
  - In Committee Assembly
    - In Committee Senate
  - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - Passed Assembly
    - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the unlawful purchase and the unlawful sale or delivery of a body vest

May 24, 2022

Signed by Governor

Sponsored by **Brian Kavanagh**

Do you support this bill?

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## 2021-S9458

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- Introduced

- ◦ In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the purchase or taking possession of a semiautomatic rifle

May 30, 2022

Signed by Governor

Sponsored by Kevin Thomas

Do you support this bill?