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**THE SENATE
STATE OF NEW YORK**



**ROBERT G. ORTT
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March 26, 2020

Governor Andrew Cuomo
New York State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

Thank you for your administration's efforts to protect our state from COVID-19. I am writing to get clarification on Executive Order 202.6 to ensure the safety of New Yorkers.

The Order requires the closure of non-essential businesses, and lists industries that are deemed "essential." According to the Order, a class of exempt businesses is "vendors that provide essential services or products."

I urge you to consider gun and sporting shops as providers of essential goods and services.

While taking proper public health precautions is necessary and appropriate, the Constitution is not nullified in the face of a pandemic, and the Second Amendment's value still remains. New Yorkers still deserve the right to protect themselves, and allowing gun shops to operate would help New Yorkers exercise that right.

Neighboring Pennsylvania grappled with this issue earlier this week. Governor Wolf initially closed gun shops, a move that Pennsylvania Supreme Court Justice David Wecht called "an absolute and indefinite prohibition upon the acquisition of firearms by the citizens of this commonwealth — a result in clear tension with the Second Amendment" after a lawsuit was filed in Pennsylvania Supreme Court. After Supreme Court justices weighed in, Governor Wolf reversed the decision, allowing gun shops to remain open.

New York can and should open gun shops in a way that continues to protect New Yorkers from coronavirus. Shops in Pennsylvania, for example, are only allowed to operate under limited hours, and can only make sales via individual appointments to eliminate store crowds. I believe gun shops in New York would be happy to comply with any public health recommendations, but closing them outright unnecessarily deprives New Yorkers of their Second Amendment right.

I urge you to allow gun shops to stay open – with restrictions for public health – during the coronavirus crisis. Doing so would be pro-business, pro-public safety, and pro-constitution. If you wish to discuss this further, please contact me at 716-434-0680.

Sincerely,

A handwritten signature in black ink that reads "Rob-G. Ortt". The signature is stylized with a large, looped "R" and a cursive "Ortt".

Robert G. Ortt
Senator, 62nd District