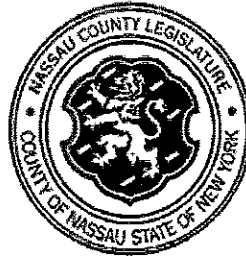


194-22
(LE)

OFFICE OF THE
DEMOCRATIC MINORITY



PETER J. CLINES, ESQ.
MINORITY COUNSEL

NASSAU COUNTY LEGISLATURE
THEODORE ROOSEVELT EXECUTIVE & LEGISLATIVE BUILDING
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Inter-Departmental Memo

To: Michael C Pulitzer, Clerk of the Legislature

From: Peter J. Clines, Esq., Minority Counsel *PC*

CC: Hon. Richard Nicoletto, Presiding Officer
Hon. Kevan Abrahams, Minority Leader

Date: June 8, 2022

Re: A LOCAL LAW TO AMEND THE MISCELLANEOUS LAWS OF NASSAU COUNTY BY ADDING A NEW TITLE 90, IN RELATION TO REQUIRING FIREARMS BUSINESS OWNERS AND OPERATORS AND DEALERS TO DISPLAY SIGNAGE IN THEIR PLACE OF BUSINESS WARNING OF THE RISKS OF FIREARM ACCESS.

Attached please find the above referenced local law which has been approved as to form per the Rules of the Legislature. Kindly distribute a copy to Presiding Officer Richard Nicoletto along with our request that this item be placed on the next available legislative agenda.

Kindly provide a time stamped hard copy acknowledgement of your receipt.

Thank you.

RECEIVED
NASSAU COUNTY
CLERK OF THE LEGISLATURE
2022 JUN - 8 A 10:48

Introduced by: Legislator Siela A. Bynoe
Co-sponsored by: Minority Leader Kevan Abrahams, Legislator Delia DeRiggi-Whitton,
Legislator Debra Mulé, Legislator Arnold Drucker, Legislator Carrié Solages, and Legislator
Joshu Lafazan

PROPOSED LOCAL LAW NO. – 2022

A LOCAL LAW TO AMENDING THE MISCELLANEOUS LAWS OF NASSAU COUNTY
BY ADDING A NEW TITLE 90, IN RELATION TO REQUIRING FIREARMS BUSINESS
OWNERS AND OPERATORS AND DEALERS TO DISPLAY SIGNAGE IN THEIR PLACE
OF BUSINESS WARNING OF THE RISKS OF FIREARM ACCESS.

APPROVED AS TO FORM



Minority Counsel

RECEIVED
NASSAU COUNTY
CLERK OF THE LEGISLATURE
2022 JUN -8 A 10:49

WHEREAS, 23,891 individuals in the United States, or 59% of all gun-related deaths, die
by suicide annually, with firearms being the most common means of suicide; and

WHEREAS, suicides account for 53% of all firearm deaths in New York; and

WHEREAS, 56% of all intimate partner homicides involve guns, far exceeding other
weapons that are commonly utilized; and

WHEREAS, women are five times more likely to be murdered by an abusive partner
when the abuser has access to a gun; and

WHEREAS, guns were the leading cause of death for children under 18 in 2020, surpassing motor vehicle crashes and cancer; and

WHEREAS, among younger children (ages 0-12 years) who are killed by a firearm, 85% are killed in their own home; and

WHEREAS, this Legislature seeks to require a health and safety warning to inform consumers and gun buyers of the risks of possessing a gun in the home; now therefore

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Title 90

Section 1. Short Title. This law shall be known as the Gun Violence Prevention Signage Law and shall appear in the Miscellaneous Laws as Title 90.

§2. Definitions. As used in this title, the following terms shall have the following meanings:

- A. “Dealer” means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. § 923(a).
- B. “Firearm” means (1) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm silencer. “Firearm” does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.
- C. “Sale” means the actual approval of the delivery of a firearm in consideration of payment or promise of payment.
- D. “Shooting range” shall mean any indoor or outdoor range equipped with targets for use with firearms including, but not be limited to, all rifle, pistol and shotgun ranges within Nassau County.
- E. “Firearms Site” means the facility or location where a sale and/or transfer of firearms is conducted or shooting range.
- F. “Transfer” means the intended delivery of a firearm from a dealer to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans.

§ 3. Posted warning.

- A. Any dealer, owner or operator of any firearms site within Nassau County shall conspicuously display a sign containing the information set forth in subdivision B of this section in any area where sales or transfers occur or, in the case of a shooting range, near each public entrance. Such sign shall not be removed, obscured, or rendered illegible.

- B. Each informational sign shall be at least eight and one-half inches high by eleven inches wide and feature black text against a white background and letters that are at least one-half inch high. Such signs shall not contain other statements or markings other than the following text, in English and Spanish:

ACCESS TO A FIREARM IN THE HOME SIGNIFICANTLY INCREASES THE RISK OF SUICIDE, HOMICIDES DURING DOMESTIC DISPUTES, AND UNINTENTIONAL DEATHS OF CHILDREN. IF YOU OR A LOVED ONE IS EXPERIENCING DISTRESS AND/OR DEPRESSION, CALL THE NASSAU COUNTY 24/7 BEHAVIORAL HEALTH HOTLINE AT 516-227-TALK (8255) or THE NATIONAL SUICIDE PREVENTION LIFELINE AT 1-800-273-TALK (8255).

- C. The Commissioner of the Nassau County Department of Health shall make available a downloadable sign as described in subdivision B of this section in English and Spanish and make such sign available on the Nassau County Website.

§ 4. Enforcement. The Nassau County Department of Health shall be responsible for enforcing the provisions of this law, and for taking reasonable steps to inform the firearms industry in Nassau County of the requirements of this law prior its effective date.

§ 5. Penalties. A violation of this law shall, after a notice and opportunity to be heard, be punishable by a civil penalty in the amount of two hundred and fifty dollars (\$250.00) for the first offense and five hundred dollars (\$500.00) for every offense thereafter. Each business day in which the required signage is not posted shall constitute a separate violation.

§ 6. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this ordinance or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this ordinance, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 2. SEQRA Determination. This legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this action is an unlisted action under the provisions of Title 6 NYCRR Part 617, and that based on an evaluation of the environmental criteria set forth in §617.7(c) that are considered to be indicia of significant adverse environmental impacts, along with the recommendation of the Nassau County Planning Commission acting in its advisory capacity to the legislature, that such action will not have significant adverse impacts on the environment, and that no additional environmental review or action is necessary.

Section 3. Effective date. This law shall take effect forty-five days after final adoption.

Introduced by: Legislator Siela A. Bynoe
Co-sponsored by: Minority Leader Kevan Abrahams, Legislator Delia DeRiggi-Whitton,
Legislator Debra Mulé, Legislator Arnold Drucker, Legislator Carrié Solages, and Legislator
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