



Wednesday, August 31st, 2022

**FAQ from Manhattan District Attorney Alvin L. Bragg on
NYSRPA v. Bruen Decision**

From my very first day in office, combatting gun violence has been my top priority. Earlier this summer our state received a setback in getting guns off our streets when, in *New York State Rifle & Pistol Association, Inc. v. Bruen*, the United States Supreme Court overturned an important aspect of New York State's gun licensing law which had been on the books for over 100 years. In response to this decision, the New York State legislature enacted new firearm laws.

Here is what this means for New Yorkers:

1. After the Supreme Court's recent decision, can people carry guns in New York City without a New York license?

No. A New York gun license is still required, and everyone must go through a permitting process before securing a license. People who carry firearms in Manhattan without a license remain subject to criminal penalties.

2. What do the newly passed gun laws say?

For private property, the default assumption is that guns are not allowed, unless there is a "clear and conspicuous" sign specifically permitting possession of a firearm on the property, or the owner has given explicit permission.

Furthermore, a new law passed by the legislature includes new criminal penalties for possession of a firearm in areas defined as "sensitive locations," including for those who have a license. Even if businesses owners in these areas want to allow guns, they cannot.

Sensitive locations include, but are not limited to:

- Public transit
- Museums, theaters, or stadiums
- Any venue licensed to serve alcohol
- Parks
- Schools
- Times Square

The law contains only narrow exceptions to the prohibitions on possession in sensitive locations or private property, such as certain police officers, properly registered security guards, or active U.S. military personnel.

3. What should I do when I see someone committing these crimes?

If you see someone committing these crimes, please call 911.

4. What is the District Attorney's office doing in the wake of the ruling?

Getting guns off our streets continues to be the Office's top priority, and we are in constant communication with our law enforcement partners to ensure there is appropriate enforcement of our strict gun laws. So far, we have also prosecuted substantially more gun cases this year than last year. We also continue to educate businesses, community leaders and city officials about the impact of the new laws and best practices for keeping our city safe.

5. What can I do to help remind people not to carry guns into my store, restaurant, or venue?

Businesses owners can put up signs making clear that guns are not permitted on the premises. The default under the law is that people may not bring guns onto private property unless explicitly permitted, but a sign may be a helpful reminder.

6. What are the requirements to receive a New York gun license?

New York law contains a number of prerequisites to obtain a gun license. For example, an applicant must be twenty-one years or older, cannot have been convicted anywhere of a felony or serious offense, and cannot be subject to certain orders of protection. The new law passed by the legislature adds additional requirements, including completion of mandatory training. In New York City, the NYPD issues gun licenses and has promulgated detailed application procedures.

7. Can handguns be openly carried in New York City?

No, New York gun licenses allow only concealed carry in public.

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