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OCT 16 2023

~~CERTIFIED COPY OF RESOLUTION ADOPTED BY THE TIOGA COUNTY LEGISLATURE~~
ADOPTED 10/10/2023

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 376-23 RESOLUTION SUPPORTING SENATE BILL S.7645
THAT REPEALS CERTAIN PROVISIONS OF THE
EXECUTIVE LAW ESTABLISHING A FEE FOR
BACKGROUND CHECKS ON CERTAIN FIREARM
AND AMMUNITION PURCHASES

WHEREAS: Senate Majority Leader Andrea Stewart-Cousins sponsored Bill S.51001, referred to as the "Concealed Carry Improvement Act (CCIA) which amended the penal law, the general business law, the executive law, the civil practice law and rules and the State finance law, in relation to licensing and other provisions relating to firearms; and

WHEREAS: Said so-called "Concealed Carry Improvement Act" was signed into law by Governor Hochul on July 1, 2022; and

WHEREAS: Said Act included regulations that allow the State to have oversight over background checks for firearms and ammunition purchases; and

WHEREAS: Said Act amended State executive law to add a new Section 228, authorizing the New York State Police to run national instant criminal background (NICS) checks and serve as a State point of contact rather than utilizing the current NICS background check system; and

WHEREAS: Said Act also created a new bureau within the State Police financed by new "background check fees" upon purchasers to cover the costs associated with performing State background checks; and

WHEREAS: These provisions of the so-called CCIA have resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase with the potential for increases without Legislative approval; and

WHEREAS: The CCIA infringes on the Constitutional right to own and bear arms guaranteed by the Second Amendment; and

WHEREAS: Senate Bill S.7645, sponsored by Senator Mark Walczyk would repeal Subdivision 5 of Section 228 of the Executive Law of S.51001 relating to the

background check fees for firearms and ammunition as included in the CCIA; therefore be it

RESOLVED: That the Tioga County Legislature does hereby endorse Senate Bill S.7645 that would repeal certain provisions of the Executive Law establishing a fee for background checks on certain firearm and ammunition purchases and amends State finance law, in relation to the source of funds for the background check fund; and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Christopher Friend, Senator Thomas O'Mara, New York State Association of Counties (NYSAC), and all others deemed necessary and proper.

STATE OF NEW YORK)

ss.:

COUNTY OF TIOGA)

This is to certify that I, the undersigned, Clerk of the Tioga County Legislature, have compared the foregoing copy of the resolution with the original resolution now on file in the office, and which was passed by the Legislature of said County on the tenth day of October, 2023, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature this tenth day of October, 2023.



A handwritten signature in cursive script that reads "Cathy Haskell".

Clerk of the Tioga County Legislature