

Westchester County

George Latimer
County Executive

July 8, 2024

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

I respectfully request that Your Honorable Board adopt the attached Local Law amending the Laws of Westchester County to add a new Chapter 527-a relating to fees charged for a license to carry a pistol or revolver, purchase or take possession of a semiautomatic rifle and amend or renew such license.

Fees charged by counties for new pistol licenses are regulated by New York State Penal Law subdivision 14 of section 400.00. Pursuant to this New York State law, Westchester's pistol license applications have been capped at \$10 per application, while the cost to perform the necessary work on an application is significantly higher and has been generally estimated at roughly \$300. These fees have not increased in decades and the County has essentially been operating the firearms licensing program at a significant annual loss of over \$300,000. As a result, Westchester's taxpayers are subsidizing the bureaucratic costs incurred by those seeking firearms licenses. Although Westchester has been obligated to abide by the New York State cap, comparable counties, such as Nassau County as well as New York City, have been provided with the authority to charge fees in line with the cost of providing the licensing service. These localities have higher licensing fees, allowing them to cover a larger share of this cost, placing a lighter burden on their taxpayers. For example, Nassau County charges \$200 for pistol permit applications and New York City charges \$340. Moreover, Rockland County charges \$150 per application (which includes an \$88.25 fee for a required background check), which is also higher than the County's current application fee.

On September 15, 2023 however, the Governor signed into law an amendment to subdivision 14 of section 400.00 of the New York State Penal Law, to allow the County, through this Board, to fix the fees to be charged for a license to carry or possess a pistol or revolver, or to purchase or take possession of a semiautomatic rifle and to provide for disposition of such fees.

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This proposed Local Law, if adopted, would set the fees for a license to possess or carry a pistol or revolver, to purchase or take possession of a semiautomatic rifle or to renew a pistol license at \$175 (if concurrent applications are made only the single highest fee shall be collected), to amend a restriction on a pistol license at \$125, and for any other amendment to a pistol license at \$25.00. Any other firearms licensing fees including but not limited to duplicate licenses, license transfers between counties and waivers of license fees for retired police officers or retired correction officers shall be set in compliance with New York State law. Moreover, all fees collected under this proposed Local Law would be paid into the general fund of the County.

The County has analyzed the costs of processing pistol licenses and has established fees that are more proportionate to the actual licensing costs. Subsequently, the recommended fees in this proposed Local Law will reduce costs for taxpayers, improve the gun permitting procedure, and also expedite the process by which these fees may be amended as appropriate in the future.

In light of the aforementioned, I respectfully urge that your Honorable Board adopt the attached Local Law amending the Laws of Westchester County by adding a new Chapter 527-a relating to fees charged for a license to carry a pistol, revolver or to purchase, take possession of a semiautomatic rifle and amend or renew such license.

Sincerely,



George Latimer
County Executive

GL/nn
Attachments

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive requesting the adoption of the attached "A LOCAL LAW to amend the Laws of Westchester County by adding a new Chapter 527-a relating to fees charged for a license to carry a pistol or revolver, purchase or take possession of a semiautomatic rifle, and amend or renew such license."

Your Committee is aware that the fees charged by counties for new pistol licenses are regulated by New York State Penal Law subdivision 14 of section 400.00. Pursuant to this New York State law, Westchester's pistol license applications have been capped at \$10 per application, while the cost to perform the necessary work on an application is significantly higher and has been generally estimated at roughly \$300. These fees have not increased in decades and the County has essentially been operating the firearms licensing program at a significant annual loss of over \$300,000. As a result, Westchester's taxpayers are subsidizing the bureaucratic costs incurred by those seeking firearms licenses. Although Westchester has been obligated to abide by the New York State cap, comparable counties, such as Nassau County as well as New York City, have been provided with the authority to charge fees in line with the cost of providing the licensing service. These localities have higher licensing fees, allowing them to cover a larger share of this cost, placing a lighter burden on their taxpayers. For example, Nassau County charges \$200 for pistol permit applications and New York City charges \$340. Moreover, Rockland County charges \$150 per application (which includes an \$88.25 fee for a required background check), which is also higher than the County's current application fee.

Your Committee is advised that, on September 15, 2023, the Governor signed into law an amendment to subdivision 14 of section 400.00 of the New York State Penal Law, to allow the County, through this Board, to fix the fees to be charged for a license to carry or possess a pistol or revolver or to purchase or take possession of a semiautomatic rifle and to provide for disposition of such fees.

Your Committee is further advised that this proposed Local Law, if adopted, would set the fees for a license to possess or carry a pistol or revolver, to purchase or take possession of a semiautomatic rifle or to renew a pistol license at \$175 (if concurrent applications are made only the single highest fee shall be collected), to amend a restriction on a pistol license at \$125, and for any other amendment to a pistol license at \$25.00. Any other firearms licensing fees including but not limited to duplicate licenses, license transfers between counties and waivers of license fees for retired police officers or retired correction officers shall be set in compliance with New York State law. Moreover, all fees collected under this proposed Local Law would be paid into the general fund of the County.

Your Committee notes that the County has analyzed the costs of processing pistol licenses and has established fees that are more proportionate to the actual licensing costs. Subsequently, the recommended fees in this proposed Local Law will reduce costs for taxpayers, improve the gun permitting procedure, and also expedite the process by which these fees may be amended as appropriate in the future.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Based on the foregoing, your Committee recommends the passage of this Local Law.

Dated: February , 2024
White Plains, New York

COMMITTEE ON

RESOLUTION NO. ____ – 2024

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2024, entitled “A LOCAL LAW to amend the Laws of Westchester County by adding a new Chapter 527-a relating to fees charged for a license to carry a pistol or revolver, purchase or take possession of a semiautomatic rifle, and amend or renew such license.” The public hearing will be held at ____ .m. on the ____ day of _____, 2024 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.