

# NEW YORK STATE PISTOL LICENSE APPLICATION



ONONDAGA COUNTY SHERIFF'S OFFICE  
PISTOL LICENSE UNIT  
407 SOUTH STATE STREET  
SYRACUSE, NEW YORK 13202  
(315) 435-2037

REVISED 01-21-2010

**HANDGUN SAFETY COURSES**  
**REVISED**



**BASIC HANDGUN SAFETY COURSE**

**REQUIRED IN ONONDAGA COUNTY FOR FIRST TIME PISTOL  
LICENSE HOLDERS**

**COURSE OUTLINE**

**AMMUNITION BASIC KNOWLEDGE \* DISASSEMBLY AND CLEANING**

**OPERATION OF HANDGUNS \* REVOLVER KNOWLEDGE**

**SAFE HANDLING/STORAGE**

**SELECTION OF HANDGUNS \* SEMI-AUTOMATIC PISTOL KNOWLEDGE**

**THE LAW AND HOW IT APPLIES TO YOU \* TYPES OF PISTOL LICENSES**

**ONLY A CERTIFICATE ISSUED BY THE CERTIFIED INSTRUCTORS  
LISTED BELOW WILL BE ACCEPTED.**

**FOR INFORMATION CALL**

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**498-6046 - CNY POLICE ACADEMY**  
**487-4145 - TIM**  
**622-1379 - CLAYTON**  
**638-4172 - DAVE**  
**469-7249 - STEVE**  
**695-1209 - KEVIN or**  
**592-8724**

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**APPLICANTS FOR NYS PISTOL LICENSES**

There are three (3) types of a handgun license one can apply for as described in section 400.00 of the New York State Penal Law. Except under special circumstances, the issuance of these licenses is restricted to:

1. **CARRY CONCEALED** without regard to employment or place of possession
    - a. By any person when "Proper Cause" exists for the issuance thereof
    - OR**
    - b. To carry with listed restrictions
  
  2. **POSSESS ON PREMISE:**
    - a. Have and possess in dwelling by a homeowner **ONLY**
    - OR**
    - b. Have and possess in one place of business by a merchant or Storekeeper **ONLY**
  
  3. **CARRY CONCEALED/EMPLOYMENT** with regard to employment
- 

Applicants applying for a **CARRY CONCEALED** pistol license are required to complete the "proper cause" forms for the issuance of this permit. No applicant will be issued an unrestricted license unless he/she is able to demonstrate a special need for the issuance thereof.

If an applicant will pursue a pistol license for the purposes of hunting, target shooting, competition, hiking, camping, etc., a **SPORTSMAN** restriction will be applied to the pistol license.

Applicants who desire a license for home/business **ONLY** would be advised to apply for a **POSSESS ON PREMISE**. This is not a carry license and restricts the possession of the handgun(s) to the dwelling address or place of business address listed on the application. If this address should change, the application process will begin again with all fees applicable.

Applicants wanting to carry concealed for their jobs must have a letter from their employer stating that they require the individual to carry during the performance of his/her duties. The restrictions on the license will appear as **EMPLOYMENT, SECURITY** or **BUSINESS**. No pistol license application will be accepted until he/she has successfully completed a handgun safety course from one of the listed certified instructors and can furnish this office with the certificate that is awarded upon completion. A list of handgun safety instructors is provided in the application packet.

## **RULES AND REGULATIONS OF A PISTOL LICENSE APPLICANT**

### **DO NOT SIGN, OR HAVE ANYONE WITNESS ANY OF THE APPLICATION PAPERWORK**

1. Applicants must be **21 years of age** at the time of application and a **resident of Onondaga Co.**
2. Complete the application form. No copies or carbons will be accepted. **Use black ink, or type.** Start with your LAST NAME (Gray area) and proceed on.
3. **Four (4) references** are required:
  - a. They must be **21** years of age or older and a **resident of Onondaga Co.**
  - b. They **cannot be family members** or reside in the same household.
  - c. Each of your **references must personally sign the NYS application form.**
4. Answer all the questions on the Questionnaire and the Affirmation sheet. If you are unclear on any question or statement leave it blank. We will attempt to assist you when you return for your fingerprinting appointment.
5. **Complete the attached character reference sheet.** List the names, addresses, including zip codes and phone numbers of each of your references. At the top of this paper, write your name, date of birth and social security number.

When all your paperwork is completed, **call us for an appointment to process your application.** When you report for your appointment bring a form of photo ID. You will be **photographed, fingerprinted and will sign all of your paperwork in our presence.** **Call 435-2037 for an appointment.**

### **FEES REQUIRED**

- \$94.25** NYSDCJS – FBI Fingerprinting Fee- At the time of your appointment either **CASH/ MONEY ORDER/ MC/VISA/DISCOVER** in the amount of \$94.25 is required. No other forms of payment will be accepted. The Money Order needs to be **payable to the ONONDAGA CO. SHERIFF'S OFFICE**
- \$55.75** OCSO - At the time of your appointment either **CASH/ MONEY ORDER/ MC/VISA/DISCOVER** in the amount of \$55.75 is also required . This amount covers the processing of your pistol license application paperwork for the Onondaga Co. Sheriff's Office.

**PROCESSING TIME FOR THE PISTOL LICENSE IS APPROXIMATELY 3 – 6 MONTHS**  
**You will notified by postcard upon the approval of your application**

**REVISED**

**PER NY PENAL SECTION 265.00 THE FOLLOWING CHARGES  
ARE CONSIDERED *SERIOUS OFFENSES***

1. ILLEGALLY USING, CARRYING OR POSSESSING A PISTOL OR  
OTHER DANGEROUS WEAPON
2. MAKING OR POSSESSING BURGLAR TOOLS
3. BUYING OR RECEIVING STOLEN PROPERTY
4. UNLAWFUL ENTRY OF A BUILDING
5. AIDING ESCAPE FROM PRISON
6. MISDEMEANOR CRIMINAL SEX ACTS
7. POSSESSION OF STOLEN PROPERTY 3<sup>RD</sup>
8. ESCAPE 3<sup>RD</sup>
9. JOSTLING
10. FRADULENT ACCOSTING
11. LOITERING 240.35 (3) SOLICITING SEX ACT
12. ENDANGERING THE WELFARE OF CHILD
13. PENAL LAW SEC. 235 SECTIONS (OBSCENITY AND PORNOGRAPHY  
TO MINORS)
14. STALKING 3<sup>RD</sup> & 4<sup>TH</sup>
15. PENAL LAW SEC. 130 SEX OFFENSES
16. PENAL LAW SEC. 220 CONTROLLED SUBSTANCES
17. PERMITTING PROSTITUTION
18. PROMOTING PROSTITUTION

**A CONVICTION OF A *FELONY* OR ANY OF THESE *SERIOUS OFFENSES*  
MAKES YOU *INELIGIBLE TO OBTAIN A PISTOL LICENSE***

## GENERAL PISTOL LICENSE INFORMATION

IF YOU HAVE BEEN ISSUED A **CARRY CONCEALED** PISTOL LICENSE, YOU ARE ENTITLED TO CARRY YOUR HANDGUN CONCEALED ON YOUR PERSON 24/7 EXCEPT WHERE PROHIBITED BY LAW.(ie. Federal,State,County,City Office Bldgs., Courthouses, Schools, Banks, Public Bldg's, Posted Land)

IF YOU HAVE A **CARRY WITH RESTRICTIONS LICENSE**, (***SPORTSMAN, EMPLOYMENT***) YOU ARE ABLE TO CARRY THE HANDGUN ON YOUR PERSON WHEN YOU ARE PERFORMING THOSE FUNCTIONS LISTED. HOWEVER, TO TRAVEL TO PERFORM THOSE FUNCTIONS, THE HANDGUN MUST BE SECURED IN A LOCKED BOX WITH A TRIGGER LOCK, SECURED IN THE TRUNK WITH THE AMMUNITION SEPARATE.

IF YOU HAVE BEEN GRANTED A “**SPORTSMAN**” PISTOL LICENSE, THIS RESTRICTION ENTITLES YOU TO USE YOUR WEAPON FOR THE PURPOSES OF HUNTING, TARGET SHOOTING, CAMPING OR HIKING IN REMOTE AREAS – NOT POSTED, & COMPETITION SHOOTING.

**ANY PERSON POSSESSING A PISTOL LICENSE ISSUED IN NYS, Per PENAL LAW 400, MUST NOTIFY THE PISTOL LICENSE UNIT OF ANY CHANGE IN INFORMATION; ADDRESS, ACQUISITION OR DISPOSAL OF FIREARM, ETC.; WITHIN TEN (10) DAYS.**

FAILURE TO COMPLY IS A CLASS A MISDEMEANOR PURSUANT TO SECTION 400.00 OF THE NYS PENAL LAW

ONLY TWO (2) IMMEDIATE FAMILY MEMBERS, OF THE SAME HOUSEHOLD, MAY REGISTER THE SAME HANDGUN ON THEIR PISTOL LICENSE

IF YOU MOVE OUT OF ONONDAGA COUNTY YOUR PISTOL LICENSE MAY REMAIN IN THIS COUNTY, OR YOU MAY TRANSFER YOUR COMPLETE FILE TO THE NEW COUNTY YOU WILL RESIDE IN.

YOU MUST CONTACT THE ONONDAGA COUNTY PISTOL LICENSE UNIT TO ARRANGE FOR THE TRANSFER OF YOUR PISTOL LICENSE FILE.

BEFORE A FIREARM CAN BE REGISTERED ON YOUR LICENSE, YOU MUST SUPPLY PROOF OF PURCHASE INCLUDING A TRIGGER LOCK, OR A DEALERS STATEMENT, THAT A TRIGGER LOCK HAS BEEN INCLUDED WITH THE HANGUN PURCHASE.

PLEASE BE ADVISED THAT UNDER PENAL LAW SECTION 400.00, THE SHERIFF'S OFFICE HAS SIX (6) MONTHS WITHIN WHICH TO PROCESS YOUR APPLICATION. YOU CAN HELP EXPEDITE THE PROCESS BY ENSURING THAT YOUR REFERENCES HAVE COMPLETED AND RETURNED THEIR REFERENCE QUESTIONNAIRES TO THIS OFFICE.

**ONONDAGA COUNTY SHERIFF'S OFFICE (REVISED)  
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## “PROPER CAUSE” FOR A “CARRY CONCEALED” PISTOL LICENSE

The New York State Legislature restricts the types of pistol licenses that the court may issue to NYS Pistol License Holders. Under Penal Law Section 400.00 (1):

1. possession in a dwelling by a householder
2. possession in a place of business by a merchant or storekeeper
3. have and carry concealed while employed as a messenger of a banking institution
4. have and carry concealed by an employee while on duty in a correctional facility
5. have and carry concealed, without regard to employment or place of possession, by any person when proper cause exists for the issuance thereof.

If your application seeks what is popularly known as a “have and carry concealed” without limitation pistol license, the New York State Legislature authorizes the court to approve it only where it meets the “proper cause” standard. Our state’s highest court, the Court of Appeals, has ruled that the Legislature has expressed an “obvious regulatory purpose of the statute” in enacting the phrase “proper cause” which would be frustrated if courts did not apply it as it was meant to be applied. (O’Brien vs. Keegan, 87 NY2d436 (1996). Appellate court decisions binding upon the pistol licensing officer define “proper cause” for the issuance of a “have an carry concealed” without limitation pistol license as grounds which demonstrate “a special need for self-protection distinguishable from that of the general community or a persons engaged in the same profession. (Matter of Kaplan vs. Braton, 249 AD2d 199 (1<sup>st</sup> Dept. 1998).

Pistol license applicants should be aware that if you apply for a Pistol License for a particular purpose, then it will be limited to that purpose. Also, if you desire a license for self-protection you would be advised to apply for an on-premise license. This is not a carry license and restricts the possession of the handgun to the dwelling or place of business listed in the application. No applicant will be issued an unrestricted carry permit unless he/she is able to demonstrate a special need for the issuance thereof. Self-protection is not a sufficient need for the issuance of a carry concealed license.

A statement of grounds which meet the test of “proper cause”, i.e. “a special need for self-protection distinguishable from that of the general community or of persons engaged in the same profession”, is necessary in order for the licensing officer to apply the law as enacted by the Legislature and interpreted by the higher Courts. As there is limited space available on the application form for a statement of “proper cause”, an “Optional Statement” form has been provided with this information sheet should you wish to supplement your application beyond the form.

Please understand that a court acting as a licensing officer is duty bound to follow the law. Should you Disagree with the “proper cause” requirement, and feel, as many citizens do, that any law abiding citizen has The right to the issuance of a full carry pistol license without making a “proper cause” showing, then you are Encouraged to contact your state legislature and urge the repeal of the “proper cause” requirements.



**DEPARTMENTAL AFFIRMATION**

DATE: \_\_\_\_\_

I, \_\_\_\_\_ having submitted an Application for a New York State Pistol License on the above date **understand that any omission of fact or any false statement concerning my criminal history will be cause for “IMMEDIATE DENIAL”.**

**I UNDERSTAND THAT I MUST DISCLOSE, AS PART OF MY CRIMINAL HISTORY CHECK, all previous arrests including arrests which never resulted in the filing of a charge, arrests which resulted in a dismissal, adjournment in contemplation of dismissal and all sealed records, including arrests which resulted in a “Certificate of Relief from Disabilities” and DWI arrests.**

I understand that the fees are non-refundable and that I must wait a period of one (1) year to reapply and that any false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law of the State of New York.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Subscribed and sworn to before me on this

\_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Commissioner of Deeds  
City of Syracuse, NY  
Commission expires 12/31/20 \_\_\_\_\_**

**REVISED**





# CHARACTER REFERENCE MAILING LIST

	NAME OF APPLICANT	DOB	SS
1.	_____		
	_____		
	_____		
	PHONE: _____		
2.	_____		
	_____		
	_____		
	PHONE: _____		
3.	_____		
	_____		
	_____		
	PHONE: _____		
4.	_____		
	_____		
	_____		
	PHONE: _____		

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