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Testimony of Office of New York State Senator Hoylman-Sigal to the Massachusetts Special Legislative Commission on Emerging Firearm Technology.

Good afternoon, Commissioners. My name is Evan Lieberman, and I am the Assistant Legislative Director for New York State Senator Brad Hoylman-Sigal. Senator Hoylman-Sigal is chair of the Senate Judiciary Committee and represents part of the West Side of Manhattan, from Christopher St. in Greenwich Village to W. 103rd St. on the Upper West Side.

I'm here to discuss our legislation, S4116A of 2022, which requires that semiautomatic pistols sold by New York firearms dealers contain a microstamp component. This bill was signed by the Governor in June of 2022 as part of a larger legislative package to strengthen New York's gun laws. The legislative package was negotiated with the Governor's office prior to passage. Just a month before, a white supremacist opened fire at a Tops supermarket in Buffalo, New York, killing 10 people – all of whom were black. In the wake of the Tops shooting and the Uvalde school shooting ten days later, New Yorkers demanded their government take action to prevent future tragedies.

S4116A acknowledges what this Commission has already heard from a number of experts – microstamping is a powerful tool that would dramatically enhance the ability of law enforcement to address gun violence. It also acknowledges that microstamping is an advanced technology that requires capable and active state regulation.

Upon its passage, S4116A required New York's Division of Criminal Justice Services to take a number of steps within a specific timeline. Within 180 days, DCJS was required to complete an investigation to certify the viability of the microstamping technology. If DCJS certified the technology's viability, the agency would have a year to establish performance standards and criteria to verify microstamping-enabled pistols. The agency would have two years to implement the verification process, as well as establish standards for training and licensing businesses in the servicing of microstamping pistols. The agency would also have two years to establish an "engraver of last resort" – a designated body that would ensure pistols comply with microstamping

requirements. Four years after DCJS certifies the technological viability of microstamping, the bill's criminal penalties would take effect. It would then be unlawful to sell a semiautomatic pistol without a microstamping component.

While implementation of the law has been slower than expected, our office and gun advocates have been in close collaboration with DCJS. Since 2022, DCJS has convened a working group within their Office of Forensic Services to collect and review scientific literature, as well as meet with other states that are implementing microstamping laws. In 2023, the legislature provided DCJS with additional funding to ensure an appropriate scope of review. This February, DCJS released a Request for Information for subject matter experts in order to engage in a deeper study of microstamping technology. The RFI is due April 17.

As S4116A in New York demonstrates, the implementation of microstamping legislation requires close collaboration between legislators, advocates, and agencies, as well as an intentional allocation of state resources. These policies are a consequential step to address gun violence and empower law enforcement. I'm heartened to see Massachusetts make microstamping the subject of such a thorough and collaborative investigation.