

# LABOR AND EMPLOYMENT LAW

## INFORMATION MEMO

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### New Concealed Carry Law in New York and Gun-Free Zones in Times Square

On June 23, 2022, the United States Supreme Court issued an historic ruling in *New York State Rifle & Pistol Association v. Bruen* that invalidated a century-old provision of New York's concealed carry law requiring an applicant to show "proper cause" in order to obtain a license to carry a concealed handgun outside the home. The Court held that the provision violated the Fourteenth Amendment in that it prevents citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms. Employers should consider if they want to allow guns on their premises, and if so, they should post "clear and conspicuous signage" or otherwise provide express consent to visitors or patrons.

Following the Court's decision, many New Yorkers—particularly those residing in New York City—braced for a possible wave of increased violence. Reports of crime have been on the rise the last few months in various parts of New York City. In April, New York Police Department data showed an 84 percent spike in major crime when compared to 2021 crime rates. NYC business owners are especially frustrated with the increased violence as it places a strain on business during a time when many businesses are still recovering from difficulties caused by the COVID-19 pandemic.

In light of growing concerns about public safety in New York after the Supreme Court decision, the legislature promptly drafted the Concealed Carry Improvement Act, which was recently signed by Gov. Kathy Hochul. The new law will limit who can obtain a gun carry permit, how to obtain a permit and restrictions on where guns may be carried. It prohibits guns in certain "sensitive places" such as government-owned buildings, educational institutions, health care facilities, places of worship, any place where alcohol is consumed and public transportation. The law establishes additional limitations including new eligibility requirements for those seeking concealed carry permits and a more expansive disqualifying criteria (i.e., an interview with a licensing agency, firearms safety training, storage requirements in vehicles). The Concealed Carry Improvement Act took effect on Sept. 1, 2022.

New York City's Times Square, famously known as a major commercial, tourist and entertainment destination in Midtown Manhattan, is now a gun-free zone. Declared as a "sensitive location," the New York City Council proposed boundaries for this gun-free zone to extend from Sixth Avenue to Eighth Avenue and from West 40th Street to West 53rd Street. The area will include "Gun Free Zone" signs at every entry point in the zone. Times Square will certainly not be the only "sensitive area" in New York City with restrictions – as subways, schools and other NYC locations are likely to be designated as gun-free zones as well. Employers in this area are well advised to ensure that employees are aware of this restriction.

As a precautionary measure, business owners throughout the state should strongly consider posting signs that explicitly state whether or not guns are allowed on the property, to make the potential presence of firearms on the premises known to all guests and patrons.

If you have any questions, please contact [Samuel Dobre](#), any attorney in Bond's [labor and employment practice](#) or the Bond attorney with whom you are regularly in contact.



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