

December 11th 2023

Dear Members,

Please read the statement below that was taken from the Second Circuit Court of Appeals decision released mid-day Friday 12/8/2023.

***We now AFFIRM the injunctions in part, VACATE in part, and REMAND for proceedings consistent with this opinion. In summary, we uphold the district court’s injunctions with respect to N.Y. Penal L. § 400.00(1)(o)(iv) (social media disclosure); N.Y. Penal L. § 265.01-d (restricted locations) as applied to private property held open to the general public; and N.Y. Penal L. § 265.01-e(2)(c) as applied to Pastor Spencer, the Tabernacle Family Church, its members, or their agents and licensees. We vacate the injunctions in all other respects, having concluded either that the district court lacked jurisdiction or that the challenged laws do not violate the Constitution on their face.***

What this means:

1. This was a decision based on the viability of the Temporary Restraining Order (TRO) issued by the District Court. It is not a decision on the Constitutionality of the Concealed Carry Improvement Act (CCIA) that will come later when a hearing is held in front of the 2nd Circuit Court of Appeals.
2. The Court upheld some of the TRO’s and vacated (dismissed) others.
3. Those parts Affirmed (upheld) are:
4. The Court upheld the TRO ban on using social media disclosure for issuing pistol permits.
5. The court upheld the TRO regarding private property open to the public. Specifically, it is now legal to carry concealed on private property unless the owner specifically posts firearms are banned from that property.
6. Specifically, The Tabernacle Family Church TRO is affirmed

All other Injunctions were Vacated (Dismissed) meaning that all other portions of the C.C.I.A. are still considered law in New York State. That includes Sensitive Areas. There has been no date set at this point for arguing the Constitutional merits of the C.C.I.A..

***What can you do?***

* Talk to your friends, family and neighbors and get them involved.
* VOTE!!!! Get out there and VOTE, elections have consequences, and we are knee deep in those consequences!
* Join/Renew/Donate at  [www.nysrpa.org](http://www.nysrpa.org/) Help us fight for you!
* ***ACT NOW!***

On behalf of all the members of NYSRPA across New York and the US, I would like to express my appreciation to our Legal team. Without the support of our members and the NRA the financial burden our state has forced upon us with the egregious laws would have been crippling. Keep up the good fight New York!

A close-up of a flag

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