S T A T E O F N E W Y O R K

22

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to requiring hospitals to report any gunshot injury to law enforcement within one hour of treatment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 265.25 of the penal law is amended to read as follows:

S 265.25 Certain wounds to be reported.

1. Every case of a bullet wound, gunshot wound, powder burn or any other injury arising from or caused by the discharge of a gun or firearm, and every case of a wound which is likely to or may result in death and is actually or apparently inflicted by a knife, icepick or other sharp or pointed instrument, shall be reported at once to the police authorities of the city, town or village where the person reporting is located by: (a) the physician attending or treating the case; or (b) the manager, superintendent or other person in charge, whenever such case is treated in a hospital, sanitarium or other institution. Failure to make such report is a class A misdemeanor. This subdivision shall not apply to such wounds, burns or injuries received by a member of the armed forces of the United States or the state of New York while engaged in the actual performance of duty.

2. WITHIN ONE HOUR OF CLASSIFYING ANY INJURY AS A GUNSHOT WOUND A HOSPITAL IS REQUIRED TO REPORT SUCH FINDING TO PROPER LAW ENFORCEMENT AS PRESCRIBED IN SUBDIVISION ONE OF THIS SECTION. FAILURE TO MAKE SUCH REPORT WITHIN ONE HOUR IS A CLASS A MISDEMEANOR.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01996-02-9