

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:

1 Section 1. Section 265.25 of the penal law is amended to read as
2 follows:
3 S 265.25 Certain wounds to be reported.
4 1. Every case of a bullet wound, gunshot wound, powder burn or any
5 other injury arising from or caused by the discharge of a gun or
6 firearm, and every case of a wound which is likely to or may result in
7 death and is actually or apparently inflicted by a knife, icepick or
8 other sharp or pointed instrument, shall be reported at once to the
9 police authorities of the city, town or village where the person reporting is located by: (a) the physician attending or treating the case; or
10 (b) the manager, superintendent or other person in charge, whenever such
11 case is treated in a hospital, sanitarium or other institution. Failure
12 to make such report is a class A misdemeanor. This subdivision shall not
13 apply to such wounds, burns or injuries received by a member of the
14 armed forces of the United States or the state of New York while engaged
15 in the actual performance of duty.
16
17 2. WITHIN ONE HOUR OF CLASSIFYING ANY INJURY AS A GUNSHOT WOUND A
18 HOSPITAL IS REQUIRED TO REPORT SUCH FINDING TO PROPER LAW ENFORCEMENT AS
19 PRESCRIBED IN SUBDIVISION ONE OF THIS SECTION. FAILURE TO MAKE SUCH
20 REPORT WITHIN ONE HOUR IS A CLASS A MISDEMEANOR.
21 S 2. This act shall take effect on the ninetieth day after it shall
22 have become a law.

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

LBD01996-02-9