

4017

2011-2012 Regular Sessions

I N   S E N A T E

March 14, 2011

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Introduced by Sens. DeFRANCISCO, BONACIC, LARKIN, MAZIARZ, SEWARD --  
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 lowering from 12 years to  
10 years the minimum age of a child authorized to engage in supervised  
loading and firing of rifles, shotguns and pistols, and increasing  
from 18 years to 21 years the minimum age of the designated supervisor  
of such a child

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

1     Section 1. Paragraphs 7, 7-c and 7-d of subdivision a of section  
2     265.20 of the penal law, paragraph 7 as amended by chapter 180 of the  
3     laws of 1998, and paragraphs 7-c and 7-d as added by chapter 651 of the  
4     laws of 1996, are amended to read as follows:  
5     7. Possession, at an indoor or outdoor shooting range for the purpose  
6     of loading and firing, of a rifle or shotgun, the propelling force of  
7     which is gunpowder by a person under sixteen years of age but not under  
8     [twelve] TEN, under the immediate supervision, guidance and instruction  
9     of (a) a duly commissioned officer of the United States army, navy, air  
10    force, marine corps or coast guard, or of the national guard of the  
11    state of New York; or (b) a duly qualified adult citizen of the United  
12    States who has been granted a certificate as an instructor in small arms  
13    practice issued by the United States army, navy, air force or marine  
14    corps, or by the adjutant general of this state, or by the national  
15    rifle association of America, a not-for-profit corporation duly organ-  
16    ized under the laws of this state; or (c) a parent, guardian, or a  
17    person over the age of [eighteen] TWENTY-ONE designated in writing by  
18    such parent or guardian who shall have a certificate of qualification in  
19    responsible hunting, including safety, ethics, and landowner relations-  
20    hunter relations, issued or honored by the department of environmental  
21    conservation; or (d) an agent of the department of environmental conser-

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

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1 vation appointed to conduct courses in responsible hunting practices  
2 pursuant to article eleven of the environmental conservation law.

3 7-c. Possession for the purpose of loading and firing, of a rifle,  
4 pistol or shotgun, the propelling force of which may be either air,  
5 compressed gas or springs, by a person under sixteen years of age but  
6 not under [twelve] TEN, under the immediate supervision, guidance and  
7 instruction of (a) a duly commissioned officer of the United States  
8 army, navy, marine corps or coast guard, or of the national guard of the  
9 state of New York; or (b) a duly qualified adult citizen of the United  
10 States who has been granted a certificate as an instructor in small arms  
11 practice issued by the United States army, navy or marine corps, or by  
12 the adjutant general of this state, or by the national rifle association  
13 of America, a not-for-profit corporation duly organized under the laws  
14 of this state; or (c) a parent, guardian, or a person over the age of  
15 [eighteen] TWENTY-ONE designated in writing by such parent or guardian  
16 who shall have a certificate of qualification in responsible hunting,  
17 including safety, ethics, and landowner relations-hunter relations,  
18 issued or honored by the department of environmental conservation.

19 7-d. Possession, at an indoor or outdoor shooting range for the  
20 purpose of loading and firing, of a rifle, pistol or shotgun, the  
21 propelling force of which may be either air, compressed gas or springs,  
22 by a person under [twelve] TEN years of age, under the immediate super-  
23 vision, guidance and instruction of (a) a duly commissioned officer of  
24 the United States army, navy, marine corps or coast guard, or of the  
25 national guard of the state of New York; or (b) a duly qualified adult  
26 citizen of the United States who has been granted a certificate as an  
27 instructor in small arms practice issued by the United States army, navy  
28 or marine corps, or by the adjutant general of this state, or by the  
29 national rifle association of America, a not-for-profit corporation duly  
30 organized under the laws of this state; or (c) a parent, guardian, or a  
31 person over the age of [eighteen] TWENTY-ONE designated in writing by  
32 such parent or guardian who shall have a certificate of qualification in  
33 responsible hunting, including safety, ethics, and landowner relations-  
34 hunter relations, issued or honored by the department of environmental  
35 conservation.

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