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

4082

2009-2010 Regular Sessions

I N S E N A T E

April 9, 2009

Introduced by Sens. SCHNEIDERMAN, ADAMS, BRESLIN, DIAZ, DUANE, FOLEY, HASSELL-THOMPSON, KRUEGER, MONTGOMERY, ONORATO, PERKINS, SAMPSON, SAVINO, STAVISKY, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to creating a gun violence prevention program

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

Section 1. This act shall be known and may be cited as the "gun violence prevention act".

S 2. Legislative intent. Gunshot injuries are a major cause of death for children and adolescents in the United States, accounting for twelve percent of all premature deaths. Further, for every young person who dies as the result of a gunshot injury, five others are seriously injured by a gunshot. Concentrated efforts in the areas of drug and alcohol abuse prevention have demonstrated that preventive education can reduce risks for youth. But although there are many drug prevention programs, there are few gun violence prevention programs in existence.

The intent of the legislature in enacting the "gun violence prevention act" is to implement a gun violence prevention program for school-aged youth and their families to help young people to develop victim prevention skills and to rehearse behaviors needed to manage problems, such as conflict and peer pressure, non-violently, without guns. The program would not oppose gun ownership or the well-supervised use of guns for hunting or sport.

S 3. The education law is amended by adding a new section 3204-a to read as follows:

S 3204-A. GUN VIOLENCE PREVENTION PROGRAM. 1. THE DEPARTMENT, IN CONSULTATION WITH LOCAL SCHOOL DISTRICTS, THE DEPARTMENT OF HEALTH, THE DIVISION OF CRIMINAL JUSTICE SERVICES, THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, AND ANY OTHER EDUCATIONAL ORGANIZATIONS, IS AUTHORIZED AND

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

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DIRECTED TO DEVELOP AND MAKE AVAILABLE TO LOCAL SCHOOL DISTRICTS A GUN VIOLENCE PREVENTION PROGRAM. THE PROGRAM SHALL INCLUDE: PRACTICAL SKILLS WHICH STUDENTS CAN USE OUTSIDE THE CLASSROOM; OPPORTUNITIES FOR SELF-REFLECTION AND ROLE-PLAY OF STUDENTS' COPING MECHANISMS AND EMOTIONS; STUDENT-SET GOALS FOR CHANGE; THE DEVELOPMENT OF COMPETENCY AND LEADERSHIP SKILLS TO ADDRESS ISSUES WITH PEERS AND THE COMMUNITY; AND PARENTAL AND COMMUNITY INVOLVEMENT AND SUPPORT IN THE PROGRAM.

2. EVERY SCHOOL MAY INSTRUCT STUDENTS IN PRE-KINDERGARTEN THROUGH TWELFTH GRADE WITH RESPECT TO GUN VIOLENCE PREVENTION USING MATERIALS PROVIDED BY THE DEPARTMENT FOR SUCH PURPOSE. EACH SCHOOL ELECTING TO PROVIDE SUCH INSTRUCTION MAY REQUEST INFORMATION AND RESOURCES THEREFOR FROM THE DEPARTMENT PURSUANT TO THIS ARTICLE.

3. THE DEPARTMENT SHALL PROVIDE A REPORT TO THE GOVERNOR AND THE LEGISLATURE ON OR BEFORE JULY FIRST, TWO THOUSAND ELEVEN, ASSESSING THE RESULTS OF THE GUN VIOLENCE PREVENTION PROGRAM ESTABLISHED PURSUANT TO THE PROVISIONS OF THIS SECTION. THE REPORT SHALL INCLUDE FINDINGS AS TO THE PROGRAM'S IMPACT ON REDUCING GUNSHOT INJURIES AMONG CHILDREN AND ADOLESCENTS AND SHALL OFFER RECOMMENDATIONS AS TO WHETHER THE GUN VIOLENCE PREVENTION PROGRAM SHOULD BE EXPANDED, MODIFIED, OR ELIMINATED AND WHETHER OR NOT OTHER GUN VIOLENCE PREVENTION PROGRAMS SHOULD BE AUTHORIZED.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.