

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. KAVANAGH, ALFANO, PAULIN, PEOPLES, BENJAMIN, EDDINGTON, CAMARA, WRIGHT, ROBINSON, ESPAILLAT, GREENE -- Multi-Sponsored by -- M. of A. BARRA, DIAZ, GOTTFRIED, McENENY, PHEFFER, WEISENBERG -- read once and referred 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:

1 Section 1. This act shall be known and may be cited as the "gun
2 violence prevention act".
3 S 2. Legislative intent. Gunshot injuries are a major cause of death
4 for children and adolescents in the United States, accounting for twelve
5 percent of all premature deaths. Further, for every young person who
6 dies as the result of a gunshot injury, five others are seriously
7 injured by a gunshot. Concentrated efforts in the areas of drug and
8 alcohol abuse prevention have demonstrated that preventive education can
9 reduce risks for youth. But although there are many drug prevention
10 programs, there are few gun violence prevention programs in existence.
11 The intent of the legislature in enacting the "gun violence prevention
12 act" is to implement a gun violence prevention program for school-aged
13 youth and their families to help young people to develop victim
14 prevention skills and to rehearse behaviors needed to manage problems,
15 such as conflict and peer pressure, non-violently, without guns. The
16 program would not oppose gun ownership or the well-supervised use of
17 guns for hunting or sport.
18 S 3. The education law is amended by adding a new section 3204-a to
19 read as follows:
20 S 3204-A. GUN VIOLENCE PREVENTION PROGRAM. 1. THE DEPARTMENT, IN
21 CONSULTATION WITH LOCAL SCHOOL DISTRICTS, THE DEPARTMENT OF HEALTH, THE
22 DIVISION OF CRIMINAL JUSTICE SERVICES, THE DEPARTMENT OF ENVIRONMENTAL

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

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1 CONSERVATION, AND ANY OTHER EDUCATIONAL ORGANIZATIONS, IS AUTHORIZED AND
2 DIRECTED TO DEVELOP AND MAKE AVAILABLE TO LOCAL SCHOOL DISTRICTS A GUN
3 VIOLENCE PREVENTION PROGRAM. THE PROGRAM SHALL INCLUDE: PRACTICAL
4 SKILLS WHICH STUDENTS CAN USE OUTSIDE THE CLASSROOM; OPPORTUNITIES FOR
5 SELF-REFLECTION AND ROLE-PLAY OF STUDENTS' COPING MECHANISMS AND
6 EMOTIONS; STUDENT-SET GOALS FOR CHANGE; THE DEVELOPMENT OF COMPETENCY
7 AND LEADERSHIP SKILLS TO ADDRESS ISSUES WITH PEERS AND THE COMMUNITY;
8 AND PARENTAL AND COMMUNITY INVOLVEMENT AND SUPPORT IN THE PROGRAM.

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

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

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