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

4619--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 4, 2011

Introduced by M. of A. ENGLEBRIGHT, SCHIMEL, PAULIN, JAFFEE, O'DONNELL, HOOPER, N. RIVERA, ROSENTHAL -- Multi-Sponsored by -- M. of A. GLICK, MARKEY, McENENY -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- recommitted to the Committee on Tourism, Parks, Arts and Sports Development in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the parks, recreation and historic preservation law, in relation to prohibiting the possession of concealed firearms in national parks and national wildlife refuge systems

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

1 Section 1. Legislative findings. The legislature hereby finds that the
2 national parks and national wildlife refuge systems in the state are
3 attractive places for citizens of all ages to safely enjoy the benefits
4 of healthy and safe outdoor activity. The legislature further finds that
5 the presence of concealed firearms in national parks and national wild-
6 life refuge systems represents an unnecessary threat, whether inten-
7 tional or unintentional, to the health and safety of citizens invited to
8 enjoy these public recreational opportunities as well as the wildlife
9 preserved within such recreation areas. Therefore, it is the purpose of
10 the legislature to protect the health, safety and welfare of the public
11 and prohibit the possession of a concealed firearm in all national parks
12 and national wildlife refuge systems, except as specifically provided by
13 law.
14 S 2. The parks, recreation and historic preservation law is amended by
15 adding a new section 13.32 to read as follows:
16 S 13.32 PROHIBITION OF CONCEALED FIREARMS IN NATIONAL PARKS AND
17 NATIONAL WILDLIFE REFUGE SYSTEMS. 1. EXCEPT AS PROVIDED IN THIS SECTION
18 AND OTHERWISE SPECIFICALLY PERMITTED IN LAW, NO PERSON, OTHER THAN A
19 MEMBER OF A FEDERAL, STATE OR MUNICIPAL LAW ENFORCEMENT AGENCY AUTHOR-

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

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IZED TO CARRY A CONCEALED FIREARM, SHALL INTRODUCE OR POSSESS, EITHER UPON HIS OR HER PERSON OR WITHIN A VEHICLE OR OTHER PLACE OF STORAGE, ANY CONCEALED FIREARM IN ANY NATIONAL PARK OR NATIONAL WILDLIFE REFUGE SYSTEM.

2. THE PROHIBITION IN SUBDIVISION ONE OF THIS SECTION SHALL NOT APPLY:

(A) TO THE EXTENT THE FIREARM IS USED IN CONNECTION WITH HUNTING WHERE AUTHORIZED BY STATE AND FEDERAL LAW; AND

(B) TO PRIVATELY OWNED RESIDENCES WITHIN ANY NATIONAL PARK OR NATIONAL WILDLIFE REFUGE SYSTEM.

3. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED ONE THOUSAND DOLLARS.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.