

7878

2011-2012 Regular Sessions

I N A S S E M B L Y

May 20, 2011

Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibitions on the use of firearms near a dwelling

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

1 Section 1. Subparagraph 2 of paragraph a of subdivision 4 of section  
2 11-0931 of the environmental conservation law, as amended by chapter 483  
3 of the laws of 2010, is amended to read as follows:

4 (2) discharge a firearm, crossbow or long bow within [five hundred]  
5 ONE THOUSAND feet from a dwelling house, farm building or farm structure  
6 actually occupied or used, school building, school playground, or occu-  
7 pied factory or church;

8 S 2. Subparagraphs 1 and 4 of paragraph b of subdivision 4 of section  
9 11-0931 of the environmental conservation law, as amended by chapter 483  
10 of the laws of 2010, are amended to read as follows:

11 (1) The owner or lessee of the dwelling house, or members of his imme-  
12 diate family actually residing therein, or a person in his employ, or  
13 the guest of the owner or lessee of the dwelling house acting with the  
14 consent of said owner or lessee, provided however, that nothing herein  
15 shall be deemed to authorize such persons to discharge a firearm, cross-  
16 bow or longbow within [five hundred] ONE THOUSAND feet of any other  
17 dwelling house, or a farm building or farm structure actually occupied  
18 or used, or a school building or playground or occupied factory or  
19 church;

20 (4) The discharge of a shotgun over water by a person hunting migrato-  
21 ry game birds if no dwelling house or public structure, livestock or  
22 person is situated in the line of discharge less than [five hundred] ONE  
23 THOUSAND feet from the point of discharge.

24 S 3. Subparagraph 2 of paragraph a of subdivision 4 of section 11-0931  
25 of the environmental conservation law is amended to read as follows:

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

LBD11604-01-1

1 (2) discharge a firearm or long bow within [five hundred] ONE THOUSAND  
2 feet from a dwelling house, farm building or farm structure actually  
3 occupied or used, school building, school playground, or occupied facto-  
4 ry or church;

5 S 4. Subparagraphs 1 and 4 of paragraph b of subdivision 4 of section  
6 11-0931 of the environmental conservation law is amended to read as  
7 follows:

8 (1) The owner or lessee of the dwelling house, or members of his imme-  
9 diate family actually residing therein, or a person in his employ, or  
10 the guest of the owner or lessee of the dwelling house acting with the  
11 consent of said owner or lessee, provided however, that nothing herein  
12 shall be deemed to authorize such persons to discharge a firearm or  
13 longbow within [five hundred] ONE THOUSAND feet of any other dwelling  
14 house, or a farm building or farm structure actually occupied or used,  
15 or a school building or playground or occupied factory or church;

16 (4) The discharge of a shotgun over water by a person hunting migrato-  
17 ry game birds if no dwelling house or public structure, livestock or  
18 person is situated in the line of discharge less than [five hundred] ONE  
19 THOUSAND feet from the point of discharge.

20 S 5. This act shall take effect immediately; provided, however, that  
21 the amendments to subdivision 4 of section 11-0931 of the environmental  
22 conservation law made by sections one and two of this act shall be  
23 subject to the expiration and reversion of such subdivision pursuant to  
24 section 17 of chapter 483 of the laws of 2010, as amended, when upon  
25 such date the provisions of sections three and four of this act shall  
26 take effect.