

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

S. 1166--A

A. 895--A

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

January 5, 2011

IN SENATE -- Introduced by Sens. BRESLIN, ADAMS, DUANE, HASSELL-THOMPSON, KRUEGER, PARKER, SAMPSON, SMITH, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. MCENENY, ORTIZ -- Multi-Sponsored by -- M. of A. AUBRY, CLARK, COLTON, DINOWITZ, PEOPLES-STOKES, ROBINSON, TITUS, WEISENBERG, WRIGHT -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish a task force to assess the public health impact of firearm violence and injury and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative findings and intent. The legislature finds and
2 declares that firearm injuries and deaths have reached epidemic
3 proportions, with firearm injuries ranked among the top ten causes of
4 death among all Americans, and as the leading cause of death among young
5 African-American males. The legislature further finds and declares that
6 this epidemic necessitates public policies which address firearm
7 violence and injury as a public health issue and that one critical
8 component of such policies is an integrated and comprehensive statewide
9 effort to accurately document the origins, incidence and nature of
10 firearm violence and injury in New York state.
11 The legislature also finds that dispersed and widely varied data and
12 information related to incidents of firearm violence are presently

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

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1 collected by state and local law enforcement agencies; and that informa-
2 tion and data related to the nature, severity and causes of firearm
3 injuries are also regularly compiled by health care providers engaged in
4 the treatment of such injuries. The legislature finds and declares that
5 a coordinated and fully integrated statewide network of data and infor-
6 mation is required to fully assess the public health impact of firearm
7 violence and injury in New York state and to formulate policies to
8 combat such violence and injury in the protection of public health.

9 The legislature hereby establishes a task force to devise a statewide
10 network of data and information related to firearm violence and inju-
11 ries. The task force will coordinate the integration of data compiled by
12 law enforcement agencies and health care providers, related to firearm
13 violence and injury. This task force will be comprised of appropriate
14 state agency personnel, law enforcement authorities, health care provid-
15 ers, and experts in the fields of epidemiology and ballistics. The task
16 force will assess the nature and current methods by which data related
17 to firearm violence and injury are compiled and reported by law enforce-
18 ment agencies and health care providers. The task force shall recommend
19 any changes in the nature or manner in which such data is compiled and
20 reported, to facilitate an on-going, statewide assessment of the public
21 health impact of firearm violence and injury in New York state.

22 S 2. An eight member task force is hereby established to assess
23 current data and information compiled by law enforcement personnel and
24 health providers related to incidents of firearm violence and injury,
25 and to recommend mechanisms by which an integrated, statewide data
26 collection and tracking system may be established to assess the public
27 health impact of such violence and injury.

28 S 3. The task force shall be comprised of the commissioners of the
29 department of health and the division of criminal justice services, who
30 may designate representatives to act on their behalf.

31 The commissioner of the department of health or the designee thereof,
32 shall chair the task force. The governor shall appoint two members to
33 the task force: one member shall be an epidemiologist experienced in the
34 study of firearm injuries and one member shall be an expert in firearm
35 ballistics. The temporary president of the senate and the speaker of the
36 assembly shall each appoint one member to the task force who shall be a
37 member of a state or local law enforcement agency. The minority leaders
38 of the senate and assembly shall each appoint one member to the task
39 force, who shall be a health care provider regularly engaged in the
40 treatment of firearm injuries. Administrative duties of the task force
41 shall be the responsibility of the department of health.

42 S 4. The task force shall provide a report to the governor and the
43 legislature on or before January 15, 2014. Such report shall include:

44 (a) an identification of the data and informational needs associated
45 with an assessment of firearm violence and injury as an issue of public
46 health in New York state;

47 (b) an identification of any differences among state and local law
48 enforcement agencies in the collection and reporting of information and
49 data related to firearm violence and injury, the basis for any such
50 differences, and how such differences may be addressed;

51 (c) an identification of any differences among health care providers
52 and in particular, emergency medical services providers, with regard to
53 the collection and reporting of firearm injury data and information, the
54 basis for such differences, and how such differences may be addressed;

55 (d) an assessment of the need for improved epidemiological data and
56 information concerning firearm injuries, including information on the

1 frequency and distribution of such injuries and the specific types of
2 firearms associated with various injuries;

3 (e) an identification of any opportunities for, or barriers to, a more
4 uniform statewide approach to the collection and reporting of data and
5 information from both law enforcement agencies and health care provid-
6 ers, concerning incidents of firearm violence and injury, with full and
7 proper regard to the protection of the rights of victims of such
8 violence and injury and the rights of criminal defendants;

9 (f) a recommendation of a state agency to assume responsibility for
10 the planning and coordination of a statewide data and information
11 network comprised of firearm violence and injury data as reported from
12 state and local law enforcement agencies and health care providers, and
13 designed to be used in formulating public health strategies to deter
14 firearm violence and injuries; and

15 (g) an identification of public health policies and strategies which
16 may arise from a statewide data and information network on firearm
17 violence and injuries, and focused on the prevention of such violence
18 and injuries.

19 The task force shall meet as frequently as its business may require
20 and members of the task force shall receive no compensation for their
21 services, but shall be allowed their actual and necessary expenses
22 incurred in performance of their duties.

23 S 5. This act shall take effect immediately and shall expire on Febru-
24 ary 1, 2014 when it shall be deemed repealed.