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

6433

I N S E N A T E

February 9, 2012

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the penal law, in relation to the minimum distance a firearm may be in the vicinity of school grounds

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

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

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

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

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

S 3. Section 10.00 of the penal law is amended by adding a new subdivision 21 to read as follows:

21. "SCHOOL GROUNDS" MEANS (A) IN OR ON OR WITHIN ANY BUILDING, STRUCTURE, ATHLETIC PLAYING FIELD, PLAYGROUND OR LAND CONTAINED WITHIN THE REAL PROPERTY BOUNDARY LINE OF A PUBLIC OR PRIVATE ELEMENTARY, PAROCHIAL, INTERMEDIATE, JUNIOR HIGH, VOCATIONAL, OR HIGH SCHOOL, OR (B) ANY AREA ACCESSIBLE TO THE PUBLIC LOCATED WITHIN ONE THOUSAND FEET OF THE REAL PROPERTY BOUNDARY LINE COMPRISING ANY SUCH SCHOOL OR ANY PARKED AUTOMOBILE OR OTHER PARKED VEHICLE LOCATED WITHIN ONE THOUSAND FEET OF THE REAL PROPERTY BOUNDARY LINE COMPRISING ANY SUCH SCHOOL. FOR THE PURPOSES OF THIS SECTION AN "AREA ACCESSIBLE TO THE PUBLIC" SHALL MEAN SIDEWALKS, STREETS, PARKING LOTS, PARKS, PLAYGROUNDS, STORES AND RESTAURANTS.

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

LBD13537-01-1

S 4. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that the amendments to subparagraph 2 of paragraph a of subdivision 4 of section 11-0931 of the environmental conservation law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to chapter 483 of the laws of 2010, as amended, when upon such date the provisions of section two of this act shall take effect.