

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

4058--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 1, 2011

Introduced by M. of A. MAGEE, BARCLAY, OAKS, HAWLEY, D. MILLER -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to lowering from 12 years to 10 years the minimum age of a child authorized to engage in supervised loading and firing of rifles, shotguns and pistols, and increasing from 18 years to 21 years the minimum age of the designated supervisor of such a child

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

1 Section 1. Paragraphs 7, 7-c and 7-d of subdivision a of section
2 265.20 of the penal law, paragraph 7 as amended by chapter 180 of the
3 laws of 1998, and paragraphs 7-c and 7-d as added by chapter 651 of the
4 laws of 1996, are amended to read as follows:
5 7. Possession, at an indoor or outdoor shooting range for the purpose
6 of loading and firing, of a rifle or shotgun, the propelling force of
7 which is gunpowder by a person under sixteen years of age but not under
8 [twelve] TEN, under the immediate supervision, guidance and instruction
9 of (a) a duly commissioned officer of the United States army, navy, air
10 force, marine corps or coast guard, or of the national guard of the
11 state of New York; or (b) a duly qualified adult citizen of the United
12 States who has been granted a certificate as an instructor in small arms
13 practice issued by the United States army, navy, air force or marine
14 corps, or by the adjutant general of this state, or by the national
15 rifle association of America, a not-for-profit corporation duly organ-
16 ized under the laws of this state; or (c) a parent, guardian, or a
17 person over the age of [eighteen] TWENTY-ONE designated in writing by
18 such parent or guardian who shall have a certificate of qualification in
19 responsible hunting, including safety, ethics, and landowner relations-
20 hunter relations, issued or honored by 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; or (d) an agent of the department of environmental conser-
2 vation appointed to conduct courses in responsible hunting practices
3 pursuant to article eleven of the environmental conservation law.

4 7-c. Possession for the purpose of loading and firing, of a rifle,
5 pistol or shotgun, the propelling force of which may be either air,
6 compressed gas or springs, by a person under sixteen years of age but
7 not under [twelve] TEN, under the immediate supervision, guidance and
8 instruction of (a) a duly commissioned officer of the United States
9 army, navy, marine corps or coast guard, or of the national guard of the
10 state of New York; or (b) a duly qualified adult citizen of the United
11 States who has been granted a certificate as an instructor in small arms
12 practice issued by the United States army, navy or marine corps, or by
13 the adjutant general of this state, or by the national rifle association
14 of America, a not-for-profit corporation duly organized under the laws
15 of this state; or (c) a parent, guardian, or a person over the age of
16 [eighteen] TWENTY-ONE designated in writing by such parent or guardian
17 who shall have a certificate of qualification in responsible hunting,
18 including safety, ethics, and landowner relations-hunter relations,
19 issued or honored by the department of environmental conservation.

20 7-d. Possession, at an indoor or outdoor shooting range for the
21 purpose of loading and firing, of a rifle, pistol or shotgun, the
22 propelling force of which may be either air, compressed gas or springs,
23 by a person under [twelve] TEN years of age, under the immediate super-
24 vision, guidance and instruction of (a) a duly commissioned officer of
25 the United States army, navy, marine corps or coast guard, or of the
26 national guard of the state of New York; or (b) a duly qualified adult
27 citizen of the United States who has been granted a certificate as an
28 instructor in small arms practice issued by the United States army, navy
29 or marine corps, or by the adjutant general of this state, or by the
30 national rifle association of America, a not-for-profit corporation duly
31 organized under the laws of this state; or (c) a parent, guardian, or a
32 person over the age of [eighteen] TWENTY-ONE designated in writing by
33 such parent or guardian who shall have a certificate of qualification in
34 responsible hunting, including safety, ethics, and landowner relations-
35 hunter relations, issued or honored by the department of environmental
36 conservation.

37 S 2. This act shall take effect on the thirtieth day after it shall
38 have become a law.