

4017

2011-2012 Regular Sessions

I N S E N A T E

March 14, 2011

Introduced by Sens. DeFRANCISCO, BONACIC, LARKIN, MAZIARZ, SEWARD --
read twice and ordered printed, and when printed to be committed to
the Committee on Codes

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 ASSEM-
BLY, 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
21 conservation; or (d) an agent of the department of environmental conser-

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

LBD09333-01-1

1 vation appointed to conduct courses in responsible hunting practices
2 pursuant to article eleven of the environmental conservation law.

3 7-c. Possession for the purpose of loading and firing, of a rifle,
4 pistol or shotgun, the propelling force of which may be either air,
5 compressed gas or springs, by a person under sixteen years of age but
6 not under [twelve] TEN, under the immediate supervision, guidance and
7 instruction of (a) a duly commissioned officer of the United States
8 army, navy, marine corps or coast guard, or of the national guard of the
9 state of New York; or (b) a duly qualified adult citizen of the United
10 States who has been granted a certificate as an instructor in small arms
11 practice issued by the United States army, navy or marine corps, or by
12 the adjutant general of this state, or by the national rifle association
13 of America, a not-for-profit corporation duly organized under the laws
14 of this state; or (c) a parent, guardian, or a person over the age of
15 [eighteen] TWENTY-ONE designated in writing by such parent or guardian
16 who shall have a certificate of qualification in responsible hunting,
17 including safety, ethics, and landowner relations-hunter relations,
18 issued or honored by the department of environmental conservation.

19 7-d. Possession, at an indoor or outdoor shooting range for the
20 purpose of loading and firing, of a rifle, pistol or shotgun, the
21 propelling force of which may be either air, compressed gas or springs,
22 by a person under [twelve] TEN years of age, under the immediate super-
23 vision, guidance and instruction of (a) a duly commissioned officer of
24 the United States army, navy, marine corps or coast guard, or of the
25 national guard of the state of New York; or (b) a duly qualified adult
26 citizen of the United States who has been granted a certificate as an
27 instructor in small arms practice issued by the United States army, navy
28 or marine corps, or by the adjutant general of this state, or by the
29 national rifle association of America, a not-for-profit corporation duly
30 organized under the laws of this state; or (c) a parent, guardian, or a
31 person over the age of [eighteen] TWENTY-ONE designated in writing by
32 such parent or guardian who shall have a certificate of qualification in
33 responsible hunting, including safety, ethics, and landowner relations-
34 hunter relations, issued or honored by the department of environmental
35 conservation.

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