

# STATE OF NEW YORK

7874

## IN SENATE

March 5, 2018

Introduced by Sen. KAMINSKY -- 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 limiting educational institutions ability to authorize the possession of a weapon on school grounds

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 265.01-a of the penal law, as added by chapter 1 of  
2 the laws of 2013, is amended to read as follows:

3 § 265.01-a[~~-~~] Criminal possession of a weapon on school grounds.

4 A person is guilty of criminal possession of a weapon on school  
5 grounds when he or she knowingly has in his or her possession a rifle,  
6 shotgun, or firearm in or upon a building or grounds, used for educa-  
7 tional purposes, of any school, college, or university, except the  
8 forestry lands, wherever located, owned and maintained by the State  
9 University of New York college of environmental science and forestry, or  
10 upon a school bus as defined in section one hundred forty-two of the  
11 vehicle and traffic law, without the written authorization of such  
12 educational institution. No educational institution shall issue such  
13 written authorization to any teacher, professor, administrator, or other  
14 person who is not primarily employed as a school resource officer, law  
15 enforcement officer, or security guard as defined in subdivision six of  
16 section eighty-nine-f of the general business law, regardless of the  
17 person's employment directly by the educational institution or by a  
18 third party that provides school resource officers or law enforcement or  
19 security services to the educational institution.

20 Criminal possession of a weapon on school grounds is a class E felony.

21 § 2. This act shall take effect immediately.

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

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