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:

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

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

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

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

§ 2. This act shall take effect immediately.

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

LBD14931-02-8