STATE OF NEW YORK

101--A

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. KAMINSKY, ADDABBO, BRESLIN, BROOKS, GAUGHRAN, GOUNARDES, HOYLMAN, KAVANAGH, KRUEGER, MAY, MAYER, METZGER, MONTGOMERY, RAMOS, SERRANO, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed 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 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**; provided, however no school, as defined in subdivision ten of section eleven hundred twenty-five of the education law, shall issue such written authorization to any teacher, school administrator, or other person employed at the school who is not primarily employed as a school resource officer, police officer, peace officer, or security guard who has been issued a special armed guard registration card as defined in section eighty-nine-f of the general business**

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

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law, regardless of whether the person is employed directly by such school or by a third party.

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

§ 2. This act shall take effect on the same date and in the same manner as chapter 363 of the laws of 2018, takes effect.