

STATE OF NEW YORK

101

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. KAMINSKY, BROOKS, HOYLMAN, MAYER -- 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.

LBD03454-01-9