STATE OF NEW YORK

8846

IN ASSEMBLY

January 18, 2022

Introduced by M. of A. SIMON -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law and the state finance law, in relation to the New York state firearm violence research institute, and to amend a chapter of the laws of 2021 amending the education law and the state finance law relating to creating a firearm violence research institute, as proposed in legislative bills numbers S. 2981 and A. 7302, in relation to the effectiveness thereof

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

Section 1. Section 239-c of the education law, as added by a chapter of the laws of 2021 amending the education law and the state finance law relating to creating a firearm violence research institute, as proposed in legislative bills numbers S. 2981 and A. 7302, is renumbered section 355-e and subdivisions 1, 2, 3, 5, 6 and 9 are amended to read as follows:

1. Institute formation and goals. Subject to amounts available by appropriation, the New York state firearm violence research institute, hereinafter the "institute", is hereby created within the **state** university **of New York**. The purposes of the institute shall include:

(a) advising the governor, governmental agencies, [~~the regents,~~] and the legislature on matters relating to firearm violence in New York state;

(b) fostering, pursuing and sponsoring collaborative firearm violence research;

(c) increasing understanding by establishing and reporting on what is known and what is not known about firearm violence of the state;

(d) identifying priority needs for firearm violence research and inventory work within New York that currently are not receiving adequate attention, and identifying public or private entities that are best situated to address such needs, thereby leading to better coordination of firearm violence research efforts in the state;

(e) promoting awareness of existing and new sources of firearm violence information and firearm violence while educating elected offi-

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

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cials, governmental agencies, and the general public on firearm violence issues through such means as it may determine;

(f) organizing and sponsoring meetings on firearm violence topics;

(g) encouraging the establishment of networks of collaborating experts engaged in related aspects of firearm violence research;

(h) raising sensitivity to firearm violence concerns among state and local government agencies, and serving as a forum for enhanced intera-gency information sharing and cooperation;

(i) recommending priority activities for funding through the firearm violence research fund, created pursuant to section ninety-seven-j of the state finance law;

(j) working on a continuing basis with policymakers in the legislature and state agencies to identify, implement, and evaluate innovative firearm violence prevention policies and programs;

(k) recruiting and providing specialized training opportunities for new researchers, including experienced investigators in related fields who are beginning work on firearm violence, young investigators who have completed their education, postdoctoral scholars, doctoral students, and undergraduates; and

(l) providing copies of their research publications to the legislature and to agencies supplying data used in the conduct of such research as soon as is practicable following publication.

2. Research. The institute shall foster, pursue, and sponsor basic, translational, and transformative research, field studies, and all other such activities to research:

(a) the nature of firearm violence, including individual and societal determinants of risk for involvement in firearm violence, whether as a victim or a perpetrator;

(b) the individual, community, and societal consequences of firearm violence;

(c) the prevention and treatment of firearm violence at the individ-ual, community, and societal levels; [~~and~~]

(d) the effectiveness of existing laws and policies intended to reduce firearm violence, and efforts to promote the responsible ownership and use of firearms**; and**

(e) other research as deemed by the institute to be aligned with its core mission.

3. Education and information transfer programs. [~~The~~] **To the extent possible, the** institute shall foster the collection, transfer, and application of firearm violence information in the state by:

(a) fostering access, compatibility, interchange, and synthesis of data about firearm violence maintained by public entities, academic and research institutions, and private organizations;

(b) employing advanced technology to coordinate for ease of use of the scattered firearm violence resources of the state; and

(c) supporting the preparation and publication of interpretative works that draw upon firearm violence resources.

5. Executive committee. The institute shall be guided by an executive committee. Members of the committee shall be from varying backgrounds with members selected from the scientific community, academic community, as well as from government service. Such committee shall consist of ten members including the commissioner **of education**, the commissioner of criminal justice services, the commissioner of health, the chancellor of the **state** university **of New York** or their designees, two at large members appointed by the governor, two members appointed by the tempo-rary president of the senate, and two members appointed by the speaker

of the assembly. Appointed members shall serve for a term of three years, provided that such members may be reappointed. The executive committee shall:

(a) adopt policies, procedures, and criteria governing the programs and operations of the institute;

(b) recommend to the governor and legislature appropriate actions to reduce firearm violence within the state;

(c) develop and implement the research, education and information transfer programs of the institute;

(d) identify and rate proposals for firearm violence research;

(e) submit to the director of the budget, and the chairpersons of the senate finance committee and the assembly ways and means committee on the first day of October, two thousand twenty-one and on or before August first each year thereafter, a budget request for the expenditure of funds available from the firearm violence research fund, for the purposes established by section ninety-seven-j of the state finance law; and

(f) meet publicly at least twice a year. The committee shall widely disseminate notice of its meetings at least two weeks prior to each meeting. The commissioners on the executive committee and the chancellor of the **state** university **of New York** shall aid in such dissemination.

6. Scientific working group. The [~~executive committee~~] **institute** shall appoint a scientific working group [~~composed~~] **consisting** of [~~not more than eight~~] individuals [~~representing governmental agencies, academic or research institutions, educational organizations, the firearm industry and related non-profit organizations. Members of the scientific working group shall have~~] **having** knowledge and expertise in firearm violence research [~~and shall serve for a term of three years, provided, however that members may be reappointed for more than one term at the discretion of the executive committee. The scientific working group~~] **which** shall **advise and** make recommendations to the [~~executive committee with respect to:~~

~~(a) the identification of priority firearm violence research needs in the state;~~

~~(b) the development and implementation of the institute's research, education, and information transfer programs;~~

~~(c) the allocation and expenditure of funds from the firearm violence research fund created pursuant to section ninety-seven-j of the state finance law; and~~

~~(d) identification and rating of proposals for firearm violence research~~] **institute regarding its research and information programs**.

9. Memorandum of understanding. The [~~department~~] **state university of New York**, the department of health, the department of motor vehicles, and the division of criminal justice services shall enter into a written memorandum of understanding to facilitate the appropriate implementation of the firearm violence research institute and the goals, responsibilities, and programs established by this section.

§ 2. Subdivision 5 of section 97-j of the state finance law, as added by a chapter of the laws of 2021 amending the education law and the state finance law relating to creating a firearm violence research institute, as proposed in legislative bills numbers S. 2981 and A. 7302, is amended to read as follows:

5. Moneys in the firearm violence research fund, following appropriation by the legislature, shall be available to the New York firearm violence research institute for [~~firearm violence research, education, and information transfer programs~~] **its activities** as set forth in

section [~~two~~] three hundred [~~thirty-nine-c~~] fifty-five-e of the education law.

§ 3. Section 3 of a chapter of the laws of 2021 amending the education law and the state finance law relating to creating a firearm violence research institute, as proposed in legislative bills numbers S. 2981 and A. 7302, is amended to read as follows:

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the action, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed by the [~~commissioner of education~~] state university of New York on or before such effective date.

§ 4. This act shall take effect immediately, provided however that sections one and two of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 amending the education law and the state finance law relating to creating a firearm violence research institute, as proposed in legislative bills numbers S. 2981 and A. 7302, takes effect.