

# STATE OF NEW YORK

9601

## IN SENATE

November 21, 2022

Introduced by Sen. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law and the executive law, in relation to removing the national rifle association from the list of entities authorized to grant certificates as instructors in small arms practice

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

1 Section 1. Subdivision 19 of section 265.00 of the penal law, as  
2 amended by a chapter of the laws of 2022 amending the penal law, the  
3 general business law, the executive law, the civil practice law and  
4 rules and the state finance law relating to licensing and other  
5 provisions relating to firearms, as proposed in legislative bills  
6 numbers S. 51001 and A. 41001, is amended to read as follows:

7 19. "Duly authorized instructor" means (a) a duly commissioned officer  
8 of the United States army, navy, marine corps or coast guard, or of the  
9 national guard of the state of New York; [~~or~~] (b) a duly qualified adult  
10 citizen of the United States who has been granted a certificate as an  
11 instructor in small arms practice issued by the United States army, navy  
12 or marine corps, or by the adjutant general of this state, or by the  
13 division of criminal justice services[~~, or by the national rifle associ-~~  
14 ~~ation of America, a not-for-profit corporation duly organized under the~~  
15 ~~laws of this state~~]; (c) by a person duly qualified and designated by  
16 the department of environmental conservation as its agent in the giving  
17 of instruction and the making of certifications of qualification in  
18 responsible hunting practices; or (d) a New York state 4-H certified  
19 shooting sports instructor.

20 § 2. Subdivision 23 of section 837 of the executive law, as added by  
21 a chapter of the laws of 2022 amending the penal law, the general busi-  
22 ness law, the executive law, the civil practice law and rules and the  
23 state finance law relating to licensing and other provisions relating to  
24 firearms, as proposed in legislative bills numbers S. 51001 and A.  
25 41001, is amended to read as follows:

26 23. (a) In conjunction with the superintendent of [~~the~~] state police,  
27 promulgate policies and procedures with regard to standardization of

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

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1 firearms safety training required under subdivision nineteen of section  
2 400.00 of the penal law, which shall include the approval of course  
3 materials and promulgation of proficiency standards for live fire train-  
4 ing; [~~and~~]

5 (b) In conjunction with the superintendent of state police, create an  
6 appeals board for the purpose of hearing appeals as provided in subdivi-  
7 sion four-a of section 400.00 of the penal law and promulgate rules and  
8 regulations governing such appeals[~~+~~]; and

9 (c) Grant certificates as instructors in small arms practice to duly  
10 qualified adult citizens pursuant to section 265.00 of the penal law.  
11 The division shall promulgate any rules and regulations necessary for  
12 the implementation of this subdivision.

13 § 3. This act shall take effect on the same date and same manner as a  
14 chapter of the laws of 2022 amending the penal law, the general business  
15 law, the executive law, the civil practice law and rules and the state  
16 finance law relating to licensing and other provisions relating to  
17 firearms, as proposed in legislative bills numbers S. 51001 and A.  
18 41001, takes effect. Effective immediately, the addition, amendment  
19 and/or repeal of any rule or regulation necessary for the implementation  
20 of this act on its effective date are authorized to be made and  
21 completed on or before such effective date.