STATE OF NEW YORK

4038

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. SALKA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to lowering from 12 years to 10 years the minimum age of a child authorized to engage in supervised loading and firing of rifles, shotguns and pistols, and increasing from 18 years to 21 years the minimum age of the designated supervisor of such a child

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

Section 1. Paragraphs 7, 7-c and 7-d of subdivision a of section 265.20 of the penal law, as amended by chapter 150 of the laws of 2020, are amended to read as follows:

7. Possession, at an indoor or outdoor shooting range for the purpose of loading and firing, of a rifle or shotgun, the propelling force of which is gunpowder by a person under sixteen years of age but not under [~~twelve~~] ten, under the immediate supervision, guidance and instruction of (a) a duly commissioned officer of the United States army, navy, air force, marine corps or coast guard, or of the national guard of the state of New York; or (b) a duly qualified adult citizen of the United States who has been granted a certificate as an instructor in small arms practice issued by the United States army, navy, air force or marine corps, or by the adjutant general of this state, by the national rifle association of America, a not-for-profit corporation duly organized under the laws of this state, or by a New York state 4-H certified shooting sports instructor; or (c) a parent, guardian, or a person over the age of [~~eighteen~~] twenty-one designated in writing by such parent or guardian who shall have a certificate of qualification in responsible hunting, including safety, ethics, and landowner relations-hunter relations, issued or honored by the department of environmental conservation; or (d) an agent of the department of environmental conservation

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

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appointed to conduct courses in responsible hunting practices pursuant to article eleven of the environmental conservation law.

7-c. Possession for the purpose of loading and firing, of a rifle, pistol or shotgun, the propelling force of which may be either air, compressed gas or springs, by a person under sixteen years of age but not under [~~twelve~~] **ten**, under the immediate supervision, guidance and instruction of (a) a duly commissioned officer of the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York; or (b) a duly qualified adult citizen of the United States who has been granted a certificate as an instructor in small arms practice issued by the United States army, navy or marine corps, or by the adjutant general of this state, by the national rifle association of America, a not-for-profit corporation duly organized under the laws of this state, or by a New York state 4-H certified shooting sports instructor; or (c) a parent, guardian, or a person over the age of [~~eighteen~~] **twenty-one** designated in writing by such parent or guardian who shall have a certificate of qualification in responsible hunting, including safety, ethics, and landowner relations-hunter relations, issued or honored by the department of environmental conservation.

7-d. Possession, at an indoor or outdoor shooting range for the purpose of loading and firing, of a rifle, pistol or shotgun, the propelling force of which may be either air, compressed gas or springs, by a person under [~~twelve~~] **ten** years of age, under the immediate supervision, guidance and instruction of (a) a duly commissioned officer of the United States army, navy, marine corps or coast guard, or of the national guard of the state of New York; or (b) a duly qualified adult citizen of the United States who has been granted a certificate as an instructor in small arms practice issued by the United States army, navy or marine corps, or by the adjutant general of this state, by the national rifle association of America, a not-for-profit corporation duly organized under the laws of this state, or by a New York state 4-H certified shooting sports instructor; or (c) a parent, guardian, or a person over the age of [~~eighteen~~] **twenty-one** designated in writing by such parent or guardian who shall have a certificate of qualification in responsible hunting, including safety, ethics, and landowner relations-hunter relations, issued or honored by the department of environmental conservation.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.