

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:

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

7 1. Institute formation and goals. Subject to amounts available by
8 appropriation, the New York state firearm violence research institute,
9 hereinafter the "institute", is hereby created within the state univer-
10 sity of New York. The purposes of the institute shall include:

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

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

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

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

23 (e) promoting awareness of existing and new sources of firearm
24 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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1 cials, governmental agencies, and the general public on firearm violence
2 issues through such means as it may determine;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 [~~(a) the identification of priority firearm violence research needs in~~
34 ~~the state,~~

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

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

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

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

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

53 5. Moneys in the firearm violence research fund, following appropri-
54 ation by the legislature, shall be available to the New York firearm
55 violence research institute for [~~firearm violence research, education,~~
56 ~~and information transfer programs~~] its activities as set forth in

1 section [~~two~~] three hundred [~~thirty-nine-e~~] fifty-five-e of the educa-
2 tion law.

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

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

13 § 4. This act shall take effect immediately, provided however that
14 sections one and two of this act shall take effect on the same date and
15 in the same manner as a chapter of the laws of 2021 amending the educa-
16 tion law and the state finance law relating to creating a firearm
17 violence research institute, as proposed in legislative bills numbers S.
18 2981 and A. 7302, takes effect.