STATE OF NEW YORK

3651

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sen. ORTT -- 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 allowing rifles, shotguns, and firearms on college and university campuses

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

Section 1. Section 265.01-a of the penal law, as separately amended by chapters 138 and 354 of the laws of 2019, is amended to read as follows:

§ 265.01-a Criminal possession of a weapon on school grounds.

A person is guilty of criminal possession of a weapon on school grounds when he or she knowingly has in his or her possession a rifle, shotgun, or firearm in or upon a building or grounds, used for educational purposes, of any school[~~, college, or university, except the forestry lands, wherever located, owned, maintained or held in trust for the benefit of the New York State College of Forestry at Syracuse University, now known as the State University of New York college of environmental science and forestry,~~] or upon a school bus as defined in section one hundred forty-two of the vehicle and traffic law, without the written authorization of such educational institution; provided, however no school, as defined in subdivision ten of section eleven hundred twenty-five of the education law, shall issue such written authorization to any teacher, school administrator, or other person employed at the school who is not primarily employed as a school resource officer, police officer, peace officer, or security guard who has been issued a special armed guard registration card as defined in section eighty-nine-f of the general business law, regardless of whether the person is employed directly by such school or by a third party. **This section shall not apply to college or university buildings or grounds.**

Criminal possession of a weapon on school grounds is a class E felony.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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