STATE OF NEW YORK

7517

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

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

AN ACT to amend the education law, in relation to requiring the dissemination of materials regarding child access prevention and the safe storage of firearms

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

Section 1. The education law is amended by adding a new section 808-a to read as follows:

§ 808-a. Firearms; child access prevention and safe storage. 1. For the purposes of this section the following terms shall have the following meanings:

a. "school district" shall mean any city school district, common school district, union free school district, central school district or central high school district;

b. "school" shall mean any public school district, charter school, private school, parochial school, or board of cooperative educational services;

c. "private school" shall mean a person, firm, association, partnership, or corporation offering or conducting private school instruction in the state;

d. "notice" shall mean written information of the model content outlined in subdivision two of this section, produced in a concise, publishable format, such as a brochure, flyer, handbill, leaflet, letter, or pamphlet, that is intended to be provided directly to parents, guardians, or persons in parental relation to a student of the school, delivered to a receptacle designated for a student, mailed to a student's last known address, emailed to a person in parental relation to a student of the school, or delivered by any other reasonable methods authorized by the commissioner; and

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

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e. "school year" shall mean the period commencing on the first day of regular instruction and shall end on the last day of instruction.

2. a. On or before July first, two thousand twenty-four, the department shall develop model content for notice, produced in the English language and in common non-English languages spoken in the state, which shall include, at a minimum, information outlining New York's child access prevention laws and laws relating to the safe storage of firearms, including, but not limited to, sections 265.45 and 265.50 of the penal law. The model content shall also include relevant statewide resources and information related to child access prevention, the safe storage of firearms, and firearm violence prevention.

b. Such model content shall designate a section for county- and local-specific laws and regulations submitted to it by each county as outlined in subdivision three of this section. The department shall tailor the model content for each county by including in the designated section for county- and local-specific laws and regulations the county- and local-specific laws submitted to it by each county.

c. On or before July first, two thousand twenty-five, and each July first thereafter, the department shall update, as necessary, the model content developed pursuant to paragraphs a and b of this subdivision.

d. The department shall publish the model content developed and updated pursuant to paragraphs a, b, and c of this subdivision on its website.

3. a. On or before May first, two thousand twenty-four, every county shall submit to the department all information of county- and local-specific laws and regulations related to child access prevention and the safe storage of firearms.

b. On or before May first, two thousand twenty-five, and each May first thereafter, every county shall submit to the department any updated information, insofar as it exists, of county- and local-specific laws related to child access prevention and the safe storage of firearms.

4. On or before July first, two thousand twenty-four, every school district shall establish policies and procedures for delivering notice of the model content outlined in paragraphs a and b of subdivision two of this section to parents, guardians, or persons in parental relation to the students of the district.

5. Beginning on July first, two thousand twenty-four, all school districts shall provide notice, at the beginning of the first semester or quarter of the regular school year, of the model content outlined in paragraphs a and b of subdivision two of this section; provided, however, that if a child enrolls after the beginning of the school year, notice of the model content shall be provided within one week of such enrollment. Notice of the model content may be provided as a single notice for multiple students living in the same household.

6. Beginning on July first, two thousand twenty-four, all school districts shall maintain, through their website or affiliated social media presences, the model content outlined in paragraphs a and b of subdivision two of this section. The model content shall be updated, as necessary, pursuant to paragraph c of subdivision two of this section.

7. Local schools, school districts, and the department are immune from civil liability for any damages allegedly caused by, arising out of, or relating to notice if the entity provided notice using the model content provided to it by the department.

§ 2. This act shall take effect immediately.