STATE OF NEW YORK

138

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

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

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:

Section 1. Subdivision 19 of section 265.00 of the penal law, as amended by chapter 371 of the laws of 2022, is amended to read as follows:

19. "Duly authorized instructor" means (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, or by the division of criminal justice services[~~, or by the national rifle association of America, a not-for-profit corporation duly organized under the laws of this state~~]; (c) by a person duly qualified and designated by the department of environmental conservation as its agent in the giving of instruction and the making of certifications of qualification in responsible hunting practices; or (d) a New York state 4-H certified shooting sports instructor.

§ 2. Subdivision 23 of section 837 of the executive law, as added by chapter 371 of the laws of 2022, is amended to read as follows:

23. (a) In conjunction with the superintendent of [~~the~~] state police, promulgate policies and procedures with regard to standardization of firearms safety training required under subdivision nineteen of section 400.00 of the penal law, which shall include the approval of course

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

LBD01873-01-3

materials and promulgation of proficiency standards for live fire training; [~~and~~]

(b) In conjunction with the superintendent of state police, create an appeals board for the purpose of hearing appeals as provided in subdivision four-a of section 400.00 of the penal law and promulgate rules and regulations governing such appeals[~~.~~]**; and**

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

§ 3. This act shall take effect on the same date and same manner as section 22 of chapter 371 of the laws of 2022, takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.