

STATE OF NEW YORK

4598

2023-2024 Regular Sessions

IN SENATE

February 13, 2023

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

AN ACT to amend the education law and the state finance law, in relation to enacting the "school anti-violence education act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "school anti-violence education act".

3 § 2. The education law is amended by adding a new section 115 to read
4 as follows:

5 § 115. School anti-violence education. 1. Legislative findings. The
6 legislature hereby finds and declares that gun violence and other forms
7 of violence constitute a crisis that poses a serious threat to the
8 health and quality of life of all residents of the state of New York,
9 particularly youth under 18 years of age. An epidemic of violence is
10 tearing at the fabric of life in many urban areas. The legislature
11 further finds that funds should be used to support school anti-violence
12 education programs.

13 2. Definitions. For the purposes of this section, the following terms
14 shall have the following meanings:

15 (a) "evidence-based anti-violence program" means a program or an
16 initiative that:

17 (i) is developed and evaluated through scientific research and data
18 collection;

19 (ii) uses public health principles that demonstrate measurable posi-
20 tive outcomes in preventing gun violence; and

21 (iii) is implemented by a nonprofit organization or public entity at
22 or in affiliation with a government-funded public school.

23 (b) "school anti-violence education program" means a school-based or
24 school-affiliated evidence-based anti-violence education program that is
25 operated by:

26 (i) a nonprofit organization or public entity; and

27 (ii) provides evidence-based trauma-support and group counseling and
28 anti-gun violence education that includes personal and group develop-

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

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1 ment, research-based facts and misconceptions about guns and the gun
2 violence crisis, and youth empowerment programming.

3 3. School anti-violence education program. (a) The department shall
4 establish a school anti-violence education program, which shall be fund-
5 ed from the school anti-violence education fund established by section
6 ninety-seven-bbbbb of the state finance law. The school anti-violence
7 education program shall include, but not be limited to:

8 (i) clearly defined and measurable objectives established by the
9 department;

10 (ii) evidence that the proposed evidence-based school programs or
11 evidence-informed school programs would likely reduce gun violence; and

12 (iii) a description of how the nonprofit organization or public entity
13 proposes to use the funding to reduce rates of gun violence by:

14 (A) establishing or enhancing evidence-based school anti-violence
15 programs;

16 (B) enhancing coordination of existing school-based or school-affili-
17 ated violence intervention and prevention programs, if any, to minimize
18 duplication of services; and

19 (C) a plan for the collection of relevant data.

20 (b) No firearms shall be used in the school anti-violence education
21 program.

22 (c) The department shall attempt to secure alternative funding sources
23 other than the state, including local government and private sources as
24 well as funding from the federal government.

25 § 3. The state finance law is amended by adding a new section 97-bbbbb
26 to read as follows:

27 § 97-bbbbb. School anti-violence education fund. 1. There is hereby
28 established in the joint custody of the state comptroller and the
29 commissioner of education a fund to be known as the "school anti-vio-
30 lence education program fund".

31 2. The school anti-violence education program fund shall consist of
32 and all monies appropriated, credited, or transferred thereto from any
33 other fund or source pursuant to law.

34 3. Monies of the school anti-violence education fund shall be expended
35 only:

36 (a) pursuant to section one hundred fifteen of the education law;

37 (b) to support effective violence reduction strategies for school-
38 based and school-affiliated anti-violence programs by providing grants
39 to local governments and nonprofit organizations to fund evidence-based
40 school anti-violence programs or evidence-informed school anti-violence
41 programs; and

42 (c) for the evaluation of the efficacy of evidence-based school anti-
43 violence programs or evidence-informed school anti-violence programs
44 awarded grants through the fund.

45 4. Monies shall be payable from the fund on the audit and warrant of
46 the comptroller on vouchers approved and certified by the commissioner
47 of education.

48 § 4. If any clause, sentence, paragraph, or section of this act shall
49 be adjudged by any court of competent jurisdiction to be invalid and
50 after exhaustion of all further judicial review, the judgment shall not
51 affect, impair or invalidate the remainder thereof, but shall be
52 confined in its operation to the clause, sentence, paragraph, or section
53 of this act directly involved in the controversy in which the judgment
54 shall have been rendered.

55 § 5. This act shall take effect immediately.