STATE OF NEW YORK

4598--A

2023-2024 Regular Sessions

IN SENATE

February 13, 2023

Introduced by Sens. BAILEY, BROUK, CLEARE, COMRIE, FERNANDEZ, GIANARIS, GOUNARDES, HOYLMAN-SIGAL, LIU, MYRIE, PARKER, PERSAUD, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

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

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

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

(ii) uses public health principles that demonstrate measurable positive outcomes in preventing gun violence; and

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

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

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

(i) a nonprofit organization or public entity; and

(ii) provides evidence-based trauma-support and group counseling and anti-gun violence education that includes personal and group development, research-based facts and misconceptions about guns and the gun violence crisis, and youth empowerment programming.

3. School anti-violence education program. (a) The department is authorized to establish school anti-violence education programs, which shall be funded from the school anti-violence education fund established by section ninety-seven-bbbb of the state finance law.

(b) No firearms shall be used for training or demonstration or another use in any school anti-violence education program established pursuant to this section.

(c) The department shall secure alternative funding sources other than the state to fund school anti-violence education programs, including local government and private sources as well as funding from the federal government.

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

§ 97-bbbb. School anti-violence education fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of education a fund to be known as the "school anti-violence education fund".

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

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

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

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

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

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

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

§ 5. This act shall take effect immediately.