

# 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:

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

3 § 808-a. Firearms; child access prevention and safe storage. 1. For  
4 the purposes of this section the following terms shall have the follow-  
5 ing meanings:

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

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

12 c. "private school" shall mean a person, firm, association, partner-  
13 ship, or corporation offering or conducting private school instruction  
14 in the state;

15 d. "notice" shall mean written information of the model content  
16 outlined in subdivision two of this section, produced in a concise,  
17 publishable format, such as a brochure, flyer, handbill, leaflet,  
18 letter, or pamphlet, that is intended to be provided directly to  
19 parents, guardians, or persons in parental relation to a student of the  
20 school, delivered to a receptacle designated for a student, mailed to a  
21 student's last known address, emailed to a person in parental relation  
22 to a student of the school, or delivered by any other reasonable methods  
23 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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1 e. "school year" shall mean the period commencing on the first day of  
2 regular instruction and shall end on the last day of instruction.

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

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

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

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

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

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

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

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

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

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

55 § 2. This act shall take effect immediately.