

# 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:

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 eighteen years of age. An epidemic of violence  
10 is 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

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

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

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

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

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

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

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

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

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

24 § 97-bbbb. School anti-violence education fund. 1. There is hereby  
25 established in the joint custody of the state comptroller and the  
26 commissioner of education a fund to be known as the "school anti-vio-  
27 lence education fund".

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

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

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

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

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

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

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

52 § 5. This act shall take effect immediately.