STATE OF NEW YORK

8461--B

IN SENATE

January 31, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged and said bill committed to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to establishing the "sporting range good neighbor act"

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

Section 1. This act shall be known and may be cited as the "sporting range good neighbor act".

§ 2. The environmental conservation law is amended by adding three new sections 37-0123, 37-0125 and 37-0127 to read as follows:

§ 37-0123. Shooting ranges; skeet fields; prevention of lead migration.

1. (a) Every skeet field tract at a shooting range shall be a minimum of six hundred yards by three hundred yards with the shooting semicircle located in the middle of the long side.

(b) Any shooting range which is unable to comply with the requirements of paragraph (a) of this subdivision shall construct and maintain appropriate backstops to prevent lead migration outside of the designated skeet field tract. Such backstops shall be constructed of material that effectively captures bullets and shall be covered by a roof to prevent precipitation from eroding such backstops.

2. No portion of a skeet field tract shall include a wetland or open water source.

3. As used in this section, the following terms shall have the following meanings:

(a) "shooting range" shall mean an outdoor range equipped with targets for use with firearms and shall include, but not be limited to, all rifle, pistol and shotgun ranges.

(b) "skeet field tract" shall mean a portion of an outdoor shooting range used for clay, sporting clay, trap or skeet shooting.

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

LBD13396-05-4

§ 37-0125. Outdoor shooting range environmental stewardship and lead ammunition material reclamation.

1. The department shall promulgate rules and regulations regarding environmental stewardship and lead ammunition material reclamation at outdoor shooting ranges and require reporting by outdoor shooting ranges regarding such ranges' environmental stewardship and lead ammunition material reclamation. Such reporting shall include:

(a) Environmental actions that have been completed on the outdoor shooting range;

(b) The present environmental setting, including upgrades, if applicable, along with previous range maintenance activities;

(c) Identification of issues of potential environmental concern associated with shooting and related lead constituents;

(d) Identification, evaluation and prioritization of appropriate actions to manage issues identified pursuant to paragraph (c) of this subdivision;

(e) Identification of short- and long-term action items and steps needed for implementation;

(f) An implementation plan for such action items;

(g) Identification of ways to measure and document results of lead ammunition material management actions; and

(h) Periodic evaluation of progress toward environmental stewardship goals and appropriate revisions of plans.

2. As used in this section, the following terms shall have the following meanings:

(a) "shooting range" shall mean an outdoor range equipped with targets for use with firearms and shall include, but not be limited to, all rifle, pistol and shotgun ranges.

(b) "skeet field tract" shall mean a portion of an outdoor shooting range used for clay, sporting clay, trap or skeet shooting.

§ 37-0127. Shooting range implementation plans.

1. Any shooting range which violates sections 37-0123 and 37-0125 of this article shall receive a warning notice for the first such violation and shall be required to submit an implementation plan to the department, detailing the shooting range's plan to implement sections 37-0123 and 37-0125 of this article. The requirements for such implementation plan shall be promulgated by the department and included as part of the warning notice issued to shooting ranges pursuant to this subdivision. The department shall approve or disapprove an implementation plan within sixty days of receipt. Upon approval of such implementation plan a shooting range shall implement such plan within ninety days.

2. As used in this section "shooting range" shall mean an outdoor range equipped with targets for use with firearms and shall include, but not be limited to, all rifle, pistol and shotgun ranges.

§ 3. Section 71-3703 of the environmental conservation law is amended by adding a new subdivision 8 to read as follows:

8. Any shooting range which violates any of the provisions of or which fails to perform any duty imposed by section 37-0127 of this chapter or any rule or regulation promulgated pursuant thereto, shall be liable for a civil penalty not to exceed one thousand dollars for each day during which such violation continues, and in addition thereto, such shooting range may be enjoined from continuing such violation. Such shooting range shall for a second violation be liable to the people of the state for a civil penalty not to exceed two thousand five hundred dollars for each day during which such violation continues. As used in

this subdivision, the term "shooting range" shall have the same meaning as such term is defined in section 37-0127 of this chapter.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.