New York State Conservation Council Inc.
8 East Main Street, Ilion, New York 13357-1899

MEMORANDUM IN SUPPORT

Bill # **A 4482** Magee Same as **S 3716** DeFrancisco

Title: Amends the penal law in relation to the possession of firearms on property owned or held in trust for the SUNY College of Environmental Science and Forestry.

This bill makes a technical correction to changes made by the SAFE Act with respect to firearms possession on property used for educational purposes. The correction will include property "held in trust for" with property "owned by" the SUNY College of Environmental Science and Forestry (SUNY ESF) for the purposes of an exemption authorizing the possession of firearms.

Justification:

The NYSCC supports this legislation. Due to changes in the law enacted under the SAFE Act, SUNY ESF was forced to close to firearms hunting over 5,000 acres of land under its administration but which it did not own.

The SAFE Act makes possession of a firearm on property used for educational purposes a felony. While the law allowed an exemption for land owned by SUNY ESF, it did not apply to several thousand acres of land held in trust for SUNY ESF. This land has been used by students and faculty, as well as the public, for research and recreational hunting on a regular basis.

'In trust for' land and 'owned' land are managed in the same manner and are, for all practical purposes, indistinguishable.

This bill would include the "in trust for" land with the "owned by" property, allowing the same treatment for the purposes of the firearms law.

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