

4302

2009-2010 Regular Sessions

I N   S E N A T E

April 21, 2009

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Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law and the education law, in relation to expanding the geographical area of employment of university police officers; and to repeal paragraph (d) of subdivision 34-a of section 1.20 of the criminal procedure law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (a) of subdivision 34-a of section 1.20 of the  
2     criminal procedure law, as amended by chapter 428 of the laws of 1999,  
3     is amended to read as follows:  
4     (a) [Except as provided in paragraph (d) of this subdivision,] New  
5     York state constitutes the "geographical area of employment" of any  
6     police officer employed as such by an agency of the state or by an  
7     authority which functions throughout the state, or a police officer  
8     designated by the superintendent of state police pursuant to section two  
9     hundred twenty-three of the executive law;  
10    S 2. Paragraph (a) of subdivision 34-a of section 1.20 of the criminal  
11    procedure law, as amended by chapter 424 of the laws of 1998, is amended  
12    to read as follows:  
13    (a) [Except as provided in paragraph (d),] New York state constitutes  
14    the "geographical area of employment" of any police officer employed as  
15    such by an agency of the state or by an authority which functions  
16    throughout the state;  
17    S 3. Paragraph (d) of subdivision 34-a of section 1.20 of the criminal  
18    procedure law is REPEALED.  
19    S 4. Paragraph 1 of subdivision 2 of section 355 of the education law,  
20    as amended by chapter 424 of the laws of 1998, is amended to read as  
21    follows:  
22    1. To appoint university police officers who shall have the powers of  
23    police officers and to remove such police officers at pleasure;

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

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1 provided, however, that any person appointed a police officer must have  
2 satisfactorily completed or complete within one year of the date of his  
3 appointment a course of law enforcement training approved by the munici-  
4 pal police training council in consultation with the university. [It  
5 shall be the duty of such police officers to preserve law and order on  
6 the campuses and other property of the university, including any portion  
7 of a public highway which crosses or abuts such property.]

8 Subject to the approval of the chancellor, the president of each  
9 state-operated campus of the state university shall enter into a written  
10 agreement with adjoining law enforcement agencies establishing protocols  
11 for the exercise of authority by such university police officer off-cam-  
12 pus, including mutual aid and assistance. Such written protocols shall  
13 not be deemed to supersede the authority of other police officers. The  
14 provisions of this paragraph shall not apply to any of the state insti-  
15 tutions and property referred to in section five thousand seven hundred  
16 nine of this chapter.

17 S 5. This act shall take effect immediately; provided that the amend-  
18 ments to paragraph (a) of subdivision 34-a of section 1.20 of the crimi-  
19 nal procedure law made by section one of this act shall be subject to  
20 the expiration and reversion of such paragraph pursuant to section 3 of  
21 chapter 428 of the laws of 1999, as amended, when upon such date the  
22 provisions of section two of this act shall take effect.