

7476--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 6, 2011

Introduced by M. of A. BRAUNSTEIN, McENENY, LANCMAN, P. RIVERA, MAISEL, JAFFEE, CAMARA, ENGLEBRIGHT, LINARES, MOYA, HOOPER, GIBSON, PAULIN, THIELE, SIMOTAS, CLARK, ROSENTHAL, GALEF -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CERETTO, FARRELL, GABRYSZAK, McDONOUGH, McKEVITT, MONTESANO, MURRAY, RA, TEDISCO, TENNEY -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to accurate reporting of crimes on college and university campuses

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

1 Section 1. The subdivision heading and paragraph a of subdivision 17
2 of section 355 of the education law, as added by chapter 22 of the laws
3 of 1999, are amended to read as follows:
4 [Plans for investigation of violent felony offenses] INVESTIGATION OF
5 CRIMES AND CRIME REPORTING. a. The board of trustees of the state
6 university of New York shall adopt rules requiring that each institution
7 of the state university, on or before January first, two thousand, adopt
8 and implement a plan providing for the investigation of any violent
9 felony offense occurring at or on the grounds of each such institution,
10 and providing for the investigation of a report of any missing student.
11 Such plans shall provide for the coordination of the investigation of
12 such crimes and reports with local law enforcement agencies. Such plans
13 shall include, but not be limited to, written agreements with appropri-
14 ate local law enforcement agencies providing for the prompt investi-
15 gation of such crimes and reports AND A REQUIREMENT THAT THE INSTITUTION
16 SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY AS SOON AS PRACTICA-
17 BLE BUT IN NO CASE MORE THAN TWENTY-FOUR HOURS AFTER A REPORT OF A
18 VIOLENT FELONY OR THAT A STUDENT WHO RESIDES IN HOUSING OWNED OR OPER-

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

LBD08261-09-2

1 ATED BY SUCH INSTITUTION IS MISSING; PROVIDED THAT NO SUCH REPORTING
2 REQUIREMENT SHALL BE DEEMED TO REQUIRE ON-CAMPUS MEDICAL PERSONNEL
3 INVOLVED IN THE EXAMINATION OR TREATMENT OF THE VICTIM OF A VIOLENT
4 OFFENSE TO REPORT INFORMATION RELATING TO SUCH VICTIM OR OFFENSE.

5 S 2. Paragraph a of subdivision 15 of section 6206 of the education
6 law, as added by chapter 22 of the laws of 1999, is amended to read as
7 follows:

8 a. The board of trustees shall adopt rules requiring that each insti-
9 tution of the city university, on or before January first, two thousand,
10 adopt and implement a plan providing for the investigation of any
11 violent felony offense occurring at or on the grounds of each such
12 institution, and providing for the investigation of a report of any
13 missing student. Such plans shall provide for the coordination of the
14 investigation of such crimes and reports with local law enforcement
15 agencies. Such plans shall include, but not be limited to, written
16 agreements with appropriate local law enforcement agencies providing for
17 the prompt investigation of such crimes and reports AND A REQUIREMENT
18 THAT THE INSTITUTION SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY
19 AS SOON AS PRACTICABLE BUT IN NO CASE MORE THAN TWENTY-FOUR HOURS AFTER
20 A REPORT OF A VIOLENT FELONY OR THAT A STUDENT WHO RESIDES IN HOUSING
21 OWNED OR OPERATED BY SUCH INSTITUTION IS MISSING; PROVIDED THAT NO SUCH
22 REPORTING REQUIREMENT SHALL BE DEEMED TO REQUIRE ON-CAMPUS MEDICAL
23 PERSONNEL INVOLVED IN THE EXAMINATION OR TREATMENT OF THE VICTIM OF A
24 VIOLENT OFFENSE TO REPORT INFORMATION RELATING TO SUCH VICTIM OR
25 OFFENSE.

26 S 3. Paragraph a of subdivision 8-a of section 6306 of the education
27 law, as added by chapter 22 of the laws of 1999, is amended to read as
28 follows:

29 a. The board of trustees shall, on or before January first, two thou-
30 sand, adopt and implement a plan providing for the investigation of any
31 violent felony offense occurring at or on the grounds of each such
32 institution, and providing for the investigation of a report of any
33 missing student. Such plans shall provide for the coordination of the
34 investigation of such crimes and reports with local law enforcement
35 agencies. Such plans shall include, but not be limited to, written
36 agreements with appropriate local law enforcement agencies providing for
37 the prompt investigation of such crimes and reports AND A REQUIREMENT
38 THAT THE INSTITUTION SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY
39 AS SOON AS PRACTICABLE BUT IN NO CASE MORE THAN TWENTY-FOUR HOURS AFTER
40 A REPORT OF A VIOLENT FELONY OR THAT A STUDENT WHO RESIDES IN HOUSING
41 OWNED OR OPERATED BY SUCH INSTITUTION IS MISSING; PROVIDED THAT NO SUCH
42 REPORTING REQUIREMENT SHALL BE DEEMED TO REQUIRE ON-CAMPUS MEDICAL
43 PERSONNEL INVOLVED IN THE EXAMINATION OR TREATMENT OF THE VICTIM OF A
44 VIOLENT OFFENSE TO REPORT INFORMATION RELATING TO SUCH VICTIM OR
45 OFFENSE.

46 S 4. This act shall take effect immediately.