S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. WRIGHT, AUBRY, ESPAILLAT, GREENE, PERRY -- Multi-Sponsored by -- M. of A. DESTITO, DINOWITZ, GALEF, PHEFFER, TOWNS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to reporting of bias-related incidents on state university campuses

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

Section 1. Paragraph l of subdivision 2 of section 355 of the education law, as amended by chapter 424 of the laws of 1998, is amended to read as follows:

1. To appoint university police officers who shall have the powers of police officers and to remove such police officers at pleasure; provided, however, that any person appointed a police officer must have satisfactorily completed or complete within one year of the date of his appointment a course of law enforcement training approved by the municipal police training council in consultation with the university. It shall be the duty of such police officers to preserve law and order on the campuses and other property of the university, including any portion of a public highway which crosses or abuts such property. IT SHALL BE THE DUTY OF SUCH PEACE OFFICERS TO IMMEDIATELY NOTIFY COLLEGE AND UNIVERSITY PERSONNEL THAT A BIAS-RELATED OFFENSE MAY HAVE BEEN COMMITTED UPON ANY STUDENT OR ON ANY PERSON ON THE CAMPUS OR OTHER COLLEGE PROPERTY. Subject to the approval of the chancellor, the president of each state-operated campus of the state university shall enter into a written agreement with adjoining law enforcement agencies establishing protocols for the exercise of authority by such university police officer off-campus, including mutual aid and assistance. Such written protocols shall not be deemed to supersede the authority of other police officers. The provisions of this paragraph shall not apply to any of the state institutions and property referred to in section five thousand seven hundred nine of this chapter. FOR THE PURPOSES OF THIS SECTION, "BIAS-RELATED

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

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OFFENSE" SHALL MEAN ANY CRIMINAL ACT WHETHER ACTUAL, THREATENED OR ATTEMPTED DIRECTED AT AN INDIVIDUAL BECAUSE OF HIS ACTUAL OR PERCEIVED RACE, CREED, COLOR, RELIGION, RELIGIOUS PRACTICE, ETHNICITY, NATIONAL ORIGIN, DISABILITY, AGE, GENDER OR SEXUAL ORIENTATION.

S 2. This act shall take effect immediately.