

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

5369--A

2011-2012 Regular Sessions

I N S E N A T E

May 12, 2011

Introduced by Sens. McDONALD, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- 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 appropriate
14 local law enforcement agencies providing for the prompt investigation
15 of such crimes and reports AND A REQUIREMENT THAT THE INSTITUTION
16 SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY AS SOON AS PRACTICABLE
17 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 OPERATED
19 BY SUCH INSTITUTION IS MISSING; PROVIDED THAT NO SUCH REPORTING
20 REQUIREMENT SHALL BE DEEMED TO REQUIRE ON-CAMPUS MEDICAL PERSONNEL
21 INVOLVED IN THE EXAMINATION OR TREATMENT OF THE VICTIM OF A VIOLENT
22 OFFENSE TO REPORT INFORMATION RELATING TO SUCH VICTIM OR OFFENSE.

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

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

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

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

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

42 S 4. This act shall take effect immediately.