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I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. BRAUNSTEIN, MAISEL, ENGLEBRIGHT, GIBSON, ROSENTHAL, JAFFEE, MOYA, PAULIN, SIMOTAS, CAMARA, HOOPER, THIELE, CLARK, GALEF -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CERETTO, FARRELL, GABRYSZAK, McDONOUGH, McKEVITT, MONTESANO, RA, TEDISCO, TENNEY -- read once and referred to the Committee on Higher Education

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:

Section 1. The subdivision heading and paragraph a of subdivision 17 of section 355 of the education law, as added by chapter 22 of the laws of 1999, are amended to read as follows:

[Plans for investigation of violent felony offenses] INVESTIGATION OF CRIMES AND CRIME REPORTING. a. The board of trustees of the state university of New York shall adopt rules requiring that each institution of the state university, on or before January first, two thousand, adopt and implement a plan providing for the investigation of any violent felony offense occurring at or on the grounds of each such institution, and providing for the investigation of a report of any missing student. Such plans shall provide for the coordination of the investigation of such crimes and reports with local law enforcement agencies. Such plans shall include, but not be limited to, written agreements with appropriate local law enforcement agencies providing for the prompt investigation of such crimes and reports AND A REQUIREMENT THAT THE INSTITUTION SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT AGENCY AS SOON AS PRACTICABLE BUT IN NO CASE MORE THAN TWENTY-FOUR HOURS AFTER A REPORT OF A VIOLENT FELONY OR THAT A STUDENT WHO RESIDES IN HOUSING OWNED OR OPERATED BY SUCH INSTITUTION IS MISSING; PROVIDED THAT NO SUCH REPORTING REQUIREMENT SHALL BE DEEMED TO REQUIRE ON-CAMPUS MEDICAL PERSONNEL

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

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INVOLVED IN THE EXAMINATION OR TREATMENT OF THE VICTIM OF A VIOLENT OFFENSE TO REPORT INFORMATION RELATING TO SUCH VICTIM OR OFFENSE.

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

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

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

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

S 4. This act shall take effect immediately.