

STATE OF NEW YORK

6042--B

Cal. No. 1660

2017-2018 Regular Sessions

IN SENATE

May 10, 2017

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the criminal procedure law, in relation to the jurisdiction of University of Rochester peace officers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 83 of section 2.10 of the criminal procedure
2 law, as added by chapter 504 of the laws of 2012, is renumbered subdivi-
3 sion 84 and amended to read as follows:

4 84. (a) [~~Security services~~ Public safety officers employed by the
5 University of Rochester who are designated as peace officers by the
6 board of trustees of the University of Rochester pursuant to paragraphs
7 (b), (c), and (d) [~~and (e)~~] of this subdivision; provided, however, that
8 nothing in this subdivision shall be deemed to authorize any such offi-
9 cer to carry, possess, repair or dispose of a firearm unless the appro-
10 priate license therefor has been issued pursuant to section 400.00 of
11 the penal law.

12 (b) For the protection of the grounds, buildings and property of the
13 University of Rochester, the prevention of crime and the enforcement of
14 law and order, the board of trustees of the University of Rochester may
15 appoint and remove such number of [~~security services~~ public safety
16 officers designated as peace officers as is determined by the board of
17 trustees to be necessary for the maintenance of public order consistent
18 with this subdivision. Such peace officers shall comply with such
19 requirements as shall be mutually agreed upon between the chief law
20 enforcement officers of the applicable local law enforcement jurisdic-

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

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1 tions and the University of Rochester. Such University of Rochester
2 peace officers so appointed shall be employees of the University of
3 Rochester and subject to its supervision and control. Such University of
4 Rochester peace officers shall have the powers of peace officers within
5 the geographic area of employment of the grounds or premises owned,
6 controlled or administered by the University of Rochester within the
7 county of Monroe [~~except as provided in paragraph (e) of this subdivi-~~
8 ~~sion; provided, however, such peace officers shall have the powers of~~
9 ~~peace officers~~], on any public street and sidewalk that abuts the
10 grounds, buildings or property of such university, and beyond such
11 geographic area upon the request of the chief law enforcement officer of
12 the local law enforcement jurisdiction or his or her designee, for the
13 purpose of transporting an individual who has been arrested in accord-
14 ance with section 140.27 of this chapter and when no local law enforce-
15 ment officer is available for transporting such individual in a timely
16 manner.

17 (c) [~~University of Rochester peace officers who are assigned to work~~
18 ~~at Strong Memorial Hospital shall only have the powers in section 9.41~~
19 ~~of the mental hygiene law and the powers listed in paragraphs (a), (c)~~
20 ~~and (h) of subdivision one of section 2.20 of this article. Provided~~
21 ~~that in order to exercise the power set forth in paragraph (a) of subdivi-~~
22 ~~sion one of section 2.20 of this article, the officer has actual know-~~
23 ~~ledge, or probable cause to believe, that such individual has committed~~
24 ~~an offense.~~

25 (d)] The University of Rochester shall provide legal defense and
26 indemnification to applicable municipality and its officers and employ-
27 ees, and hold them harmless, against all claims arising out of conduct
28 by or injury to such peace officers while carrying out their special
29 duties, except in those situations when they are acting as agents of the
30 chief law enforcement officer of the applicable local law enforcement
31 jurisdiction or his or her designee.

32 [~~(e)~~ (d)] To become eligible for designation as a University of
33 Rochester peace officer, a candidate shall, in addition to the training
34 requirements as set forth in section 2.30 of this article, complete the
35 course of instruction in public and private law enforcement established
36 pursuant to subdivision three of section sixty-four hundred thirty-five
37 of the education law.

38 § 2. This act shall take effect immediately.