

# STATE OF NEW YORK

7810

## IN SENATE

February 27, 2018

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law and the retirement and social security law, in relation to a school resource officer program

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

1 Section 1. The education law is amended by adding a new section 2801-c  
2 to read as follows:

3 § 2801-c. New York state school resource officer program. 1. For  
4 purposes of this section, the term "school resource officer" shall mean  
5 a school resource officer, school safety officer, school security offi-  
6 cer, or any other substantially similar position or office, that is  
7 designed to provide improved public safety and/or security on school  
8 grounds. Such school resource officer may be a retired police officer, a  
9 retired state trooper, a retired deputy sheriff, a state trooper, a  
10 police officer in the active duty service of a town, city or village, or  
11 a deputy sheriff from a county sheriff's department.

12 2. Any public or nonpublic school may employ, in either the classified  
13 or unclassified service, any school resource officer for the purpose of  
14 providing improved public safety and/or security on school grounds. Any  
15 such public or nonpublic school may also contract with the state of New  
16 York, or a county, city, town or village, for the provision of a state  
17 trooper, police officer or deputy sheriff, to serve as a school resource  
18 officer, for the purpose of providing improved public safety and/or  
19 security on school grounds. A school district shall be authorized to  
20 employ or contract for as many school resource officers as such district  
21 deems necessary.

22 3. It shall be the role of the school resource officer to provide  
23 improved public safety and/or security on school grounds. Such school  
24 resource officer may carry and possess firearms during the course of  
25 their duties at such school district, but nothing in this subdivision  
26 shall be deemed to authorize such school resource officer to carry,  
27 possess, repair or dispose of a firearm unless the appropriate license  
28 therefor has been issued pursuant to section 400.00 of the penal law.

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

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§ 2. Section 3641 of the education law is amended by adding a new subdivision 17 to read as follows:

17. School resource officer grants. a. In the two thousand eighteen--two thousand nineteen school year and thereafter, within the amount appropriated for services and expenses related to the expense of school resource officers, the commissioner shall provide grants pursuant to this subdivision to: (1) public school districts other than a city school district in a city with a population of one million or more inhabitants, (2) charter schools, and (3) non-public schools.

b. Grants under this subdivision shall be equal to the greater of fifty thousand dollars or the product of (1) twenty thousand dollars, and (2) the greater of (A) the total number of instructional school buildings owned, leased or in use for instructional purposes by such public school district, charter school, or non-public school, or (B) the quotient of the enrollment of such public school district pursuant to paragraph n of subdivision one of section thirty-six hundred two of this article divided by two hundred and fifty, and (3) the aid ratio pursuant to subdivision seven of section thirty-six hundred two of this article, provided that for a charter school or non-public school, the aid ratio shall be the aid ratio for the public school district where the charter school or the non-public school is located.

c. The commissioner shall be authorized to adopt regulations to implement the provisions of this subdivision.

d. In the event the appropriation for purposes of this subdivision in any year is insufficient to pay all claims received pursuant to this subdivision, the commissioner shall pay such claims on a prorated basis among all districts filing such claims until the appropriation is exhausted.

§ 3. Paragraph (b) of subdivision 2 of section 211 of the retirement and social security law is amended by adding a new subparagraph 3-a to read as follows:

(3-a) that his or her employment title and respective duties will be restricted to school resource officer as such term is defined in section twenty-eight hundred one-c of the education law;

§ 4. This act shall take effect immediately.