

# STATE OF NEW YORK

9712

## IN ASSEMBLY

February 6, 2020

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to granting peace officer status to certain public safety officers employed by Rensselaer Polytechnic Institute

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

1 Section 1. Section 2.10 of the criminal procedure law is amended by  
2 adding a new subdivision 86 to read as follows:

3 86. (a) Public safety officers employed by Rensselaer Polytechnic  
4 Institute who are designated as peace officers by the president of Rens-  
5 selaer Polytechnic Institute, with concurrence of the board of trustees  
6 for Rensselaer Polytechnic Institute, pursuant to paragraphs (b), (c),  
7 and (d) of this subdivision; provided, however, that nothing in this  
8 subdivision shall be deemed to authorize any such officer to carry,  
9 possess, repair, or dispose of a firearm unless the appropriate license  
10 therefor has been issued pursuant to section 400.00 of the penal law.

11 (b) For the protection of the grounds, buildings, and property of  
12 Rensselaer Polytechnic Institute, the prevention of crime and the  
13 enforcement of law and order, the president of Rensselaer Polytechnic  
14 Institute may, with the concurrence of the board of trustees, appoint  
15 and remove such number of public safety officers designated as peace  
16 officers as is determined by such president and board to be necessary  
17 for the maintenance of public order consistent with this subdivision.  
18 Such Rensselaer Polytechnic Institute peace officers so appointed shall  
19 be employees of Rensselaer Polytechnic Institute and subject to its  
20 supervision and control. Such Rensselaer Polytechnic Institute peace  
21 officers shall have the powers of peace officers within the geographic  
22 area of employment of the grounds or premises owned, controlled, or  
23 administered by Rensselaer Polytechnic Institute within the county of  
24 Rensselaer, on any public street and sidewalk that abuts the grounds,  
25 buildings, or property of such university, and beyond such geographic  
26 area with the approval or request of the chief law enforcement officer  
27 of the local law enforcement jurisdiction or his or her designee, for

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

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1 the purpose of transporting an individual (i) who has been arrested in  
2 accordance with section 140.27 of this chapter, and when no local law  
3 enforcement officer is available for transporting such individual in a  
4 timely manner; or (ii) who has been taken into custody pursuant to  
5 section 9.41 of the mental hygiene law.

6 (c) Rensselaer Polytechnic Institute shall provide legal defense and  
7 indemnification to any applicable municipality and its officers and  
8 employees, and hold them harmless, against all claims arising out of the  
9 conduct by or injury to such peace officers while carrying out their  
10 special duties, except in those situations when they are acting as  
11 agents of the chief law enforcement officer of the applicable local law  
12 enforcement jurisdiction or his or her designee.

13 (d) To become eligible for designation as a Rensselaer Polytechnic  
14 Institute peace officer, a candidate shall, in addition to the training  
15 requirements as set forth in section 2.30 of this article, complete the  
16 course of instruction in public and private law enforcement established  
17 pursuant to subdivision three of section sixty-four hundred thirty-five  
18 of the education law.

19 § 2. This act shall take effect immediately.