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:

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

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

(b) For the protection of the grounds, buildings, and property of Rensselaer Polytechnic Institute, the prevention of crime and the enforcement of law and order, the president of Rensselaer Polytechnic Institute may, with the concurrence of the board of trustees, appoint and remove such number of public safety officers designated as peace officers as is determined by such president and board to be necessary for the maintenance of public order consistent with this subdivision. Such Rensselaer Polytechnic Institute peace officers so appointed shall be employees of Rensselaer Polytechnic Institute and subject to its supervision and control. Such Rensselaer Polytechnic Institute peace officers shall have the powers of peace officers within the geographic area of employment of the grounds or premises owned, controlled, or administered by Rensselaer Polytechnic Institute within the county of Rensselaer, on any public street and sidewalk that abuts the grounds, buildings, or property of such university, and beyond such geographic area with the approval or request of the chief law enforcement officer 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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the purpose of transporting an individual (i) who has been arrested in accordance with section 140.27 of this chapter, and when no local law enforcement officer is available for transporting such individual in a timely manner; or (ii) who has been taken into custody pursuant to section 9.41 of the mental hygiene law.

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

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

§ 2. This act shall take effect immediately.