STATE OF NEW YORK

8396

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

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

AN ACT to amend the criminal procedure law, in relation to designating members of the security force of Alfred university as peace officers

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) Security services officers employed by Alfred university who are designated as peace officers by the president of Alfred university pursuant to paragraphs (b), (c), (d), (e) and (f) 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 Alfred university, the prevention of crime and the enforcement of law and order, the president of Alfred university, subject to approval by the chief of the Alfred village police department, may appoint and remove such number of security services officers designated as peace officers as is determined by the president to be necessary for the maintenance of public order consistent with this subdivision. Such peace officers shall comply with such requirements as shall be mutually agreed upon between the chief of the Alfred village police department and Alfred university. Such Alfred university peace officers so appointed shall be employees of Alfred university and subject to its supervision and control. Such Alfred university 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 Alfred university within the county of Allegany except as provided in paragraphs (c), (d), and (e) of this subdivision. Alfred university shall provide legal

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

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defense and indemnification, and hold harmless the village of Alfred and its officers and employees, against all claims arising out of 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 of the Alfred village police department or his or her designee.

(c) Alfred university peace officers shall have the powers of peace officers beyond such geographic area provided for in paragraph (b) of this subdivision for the purpose of transporting an individual 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.

(d) Alfred university peace officers shall have the powers of peace officers beyond such geographic area provided for in paragraph (b) of this subdivision for the purpose of transporting an individual under section 9.41 of the mental hygiene law and when no local law enforcement officer is available for transporting such individual in a timely manner.

(e) Alfred university peace officers shall have the powers of peace officers beyond such geographic area provided for in paragraph (b) of this subdivision for the purpose of transporting an individual to a hospital as defined by article twenty-eight of the public health law in the case of an emergency and when no local law enforcement officer is available to transport such individual in a timely manner.

(f) To become eligible for designation as an Alfred university 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 on the one hundred twentieth day after it shall have become a law.