STATE OF NEW YORK

9031

IN ASSEMBLY

January 21, 2022

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Local Governments

AN ACT to amend the executive law, in relation to establishing the defund municipalities that defund the police act

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

Section 1. This act shall be known as the "Defund Municipalities that Defund the Police Act".

§ 2. The executive law is amended by adding a new section 184 to read as follows:

§ 184. Defund municipalities that defund the police act. 1. As used in this section, "defunding municipality" shall mean a political subdivision, including counties, cities, towns and villages, that:

(a) abolishes or disbands the police department with no intention of reconstituting such jurisdiction's police department; or

(b) significantly reduces the police department's budget without reallocating a portion of that money to any other community-policing program, provided, that the jurisdiction did not face a significant decrease in revenues in the previous fiscal year.

2. The director of the division of budget shall withhold an amount of state funding that the defunding municipality receives from the state in accordance with subdivision three of this section. The director of the division of budget shall discontinue and reverse any withholdings made pursuant to this section upon a determination by the director that the municipality no longer qualifies as a defunding municipality under subdivision one of this section.

3. The amount withheld from the defunding municipality shall be an amount equal to the percentage reduction, exclusive of funds diverted for any other community-policing programs, that the defunding municipality reduces its police department budget by.

§ 3. This act shall take effect immediately.

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

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