STATE OF NEW YORK

4002--A

Cal. No. 391

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

Introduced by Sens. BROUK, BENJAMIN, BIAGGI, BRISPORT, COMRIE, COONEY, JACKSON, KRUEGER, MAY, MAYER, MYRIE, PARKER, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to prohibiting the use of chemical agents by police officers against minors

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

Section 1. Paragraph (d) of subdivision 4 of section 840 of the executive law is amended by adding a new subparagraph 5 to read as follows:

(5) The model law enforcement use of force policy and every use of force policy established pursuant to subparagraph three of this paragraph shall prohibit the use of any chemical agent, including, but not limited to, oleoresin capsicum, pepper spray and tear gas against any minor under the age of eighteen in any circumstance.

§ 2. 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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