

STATE OF NEW YORK

1278

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

Introduced by M. of A. MAGNARELLI, HUNTER -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to removing police officer discipline from collective bargaining in the state

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

1 Section 1. The civil service law is amended by adding a new section
2 204-b to read as follows:

3 § 204-b. Disciplinary practices for police officers. 1. Notwithstand-
4 ing any inconsistent provision of law to the contrary, including but not
5 limited to, sections two hundred through two hundred fifteen of this
6 article or decisions regarding such subject matter, all matters relating
7 to the discipline of police officers, including but not limited to,
8 matters relating to investigations, hearing procedures or penalty deter-
9 minations, shall be a prohibited subject of bargaining between the muni-
10 cipality and such municipality's law enforcement labor employee organ-
11 izations. Such matters are expressly removed from the scope of
12 collective bargaining. Any collective bargaining agreement or portion
13 thereof, or custom or practice related to matters of police discipline
14 between the municipality and such municipality's law enforcement employ-
15 ee organizations inconsistent with the provisions of this section are
16 hereby declared to be void. All matters of police discipline are hereby
17 reserved for determination by the municipality.

18 2. Sections seventy-five and seventy-six of this chapter shall not be
19 applicable with respect to all matters relating to law enforcement
20 personnel in municipalities in the state.

21 § 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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