STATE OF NEW YORK

3515

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to requiring police officers to maintain liability insurance; and to amend the public officers law, in relation to excluding police officers from provisions requiring defense and indemnification of state officers and employees

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

Section 1. The general municipal law is amended by adding a new section 52-a to read as follows:

§ 52-a. Liability insurance for police officers. Each police officer employed by a city, county, town, village, authority or agency shall obtain a policy of liability insurance. Each appointed police officer must provide proof of liability insurance coverage required by this section and must maintain continuous coverage throughout the course of employment as a police officer. Such insurance shall cover claims against such officer for acts or omissions during any period of time that such officer is performing duties within the scope of employment of such city, county, town, village, authority or agency. The city, county, town, village, authority or agency shall cover the base rate of the policy required by this section.

§ 2. Subdivision 1 of section 17 of the public officers law is amended by adding a new paragraph (a-1) to read as follows:

(a-1) For the purposes of this section, the term "employee" shall not include any police officer or peace officer as such terms are defined in sections 1.20 and 2.10 of the criminal procedure law and section 14-102 of the administrative code of the city of New York.

§ 3. This act shall take effect immediately.

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

LBD06437-01-3