STATE OF NEW YORK

385--A

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sens. BORRELLO, COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to peace officer status of public safety officers of the Chautauqua Institution within the grounds of and properties owned by the Chautauqua Institution

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 87 to read as follows:

87. (a) Public safety officers of the Chautauqua Institution who are designated as peace officers by the board of trustees of the Chautauqua Institution pursuant to paragraphs (b), (c), and (d) 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 the Chautauqua Institution, the prevention of crime and the enforcement of law and order, the board of trustees of the Chautauqua Institution may appoint and remove such number of public safety officers designated as peace officers as is determined by the board of trustees to be necessary for the maintenance of public order consistent with this subdivision. Such Chautauqua Institution peace officers so appointed shall be employees of the Chautauqua Institution and subject to its supervision and control. Such Chautauqua Institution peace officers shall have the powers of peace officers within the geographic area of employment on the grounds or premises owned, controlled or administered by the Chautauqua

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

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Institution within the county of Chautauqua, on any public street and sidewalk that abuts the grounds, buildings or property of the Chautauqua Institution, and beyond such geographic area upon the request of the sheriff of Chautauqua county, or such sheriff's designee, 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.

(c) The Chautauqua Institution shall provide legal defense and indemnification to applicable municipalities and its officers and employees, and hold them harmless, 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 Chautauqua county sheriff or such sheriff's designee.

(d) To become eligible for designation as a Chautauqua Institution peace officer, a candidate shall, at a minimum, successfully complete the New York state basic course for peace officers with firearms and any other requirements as set forth in section 2.30 of this article.

§ 2. This act shall take effect immediately.