

STATE OF NEW YORK

83

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law and the education law, in relation to expanding the geographical area of employment of university police officers; and to repeal paragraph (d) of subdivision 34-a of section 1.20 of the criminal procedure law relating thereto

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

1 Section 1. Paragraph (a) of subdivision 34-a of section 1.20 of the
2 criminal procedure law, as amended by chapter 428 of the laws of 1999,
3 is amended to read as follows:

4 (a) [~~Except as provided in paragraph (d) of this subdivision,~~ New
5 York state constitutes the "geographical area of employment" of any
6 police officer employed as such by an agency of the state or by an
7 authority which functions throughout the state, or a police officer
8 designated by the superintendent of state police pursuant to section two
9 hundred twenty-three of the executive law;

10 § 2. Paragraph (a) of subdivision 34-a of section 1.20 of the criminal
11 procedure law, as amended by chapter 424 of the laws of 1998, is amended
12 to read as follows:

13 (a) [~~Except as provided in paragraph (d),~~] New York state constitutes
14 the "geographical area of employment" of any police officer employed as
15 such by an agency of the state or by an authority which functions
16 throughout the state;

17 § 3. Paragraph (d) of subdivision 34-a of section 1.20 of the criminal
18 procedure law is REPEALED.

19 § 4. Paragraph 1 of subdivision 2 of section 355 of the education law,
20 as amended by chapter 424 of the laws of 1998, is amended to read as
21 follows:

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

LBD00559-01-3

1 1. To appoint university police officers who shall have the powers of
2 police officers and to remove such police officers at pleasure;
3 provided, however, that any person appointed a police officer must have
4 satisfactorily completed or complete within one year of the date of his
5 appointment a course of law enforcement training approved by the munici-
6 pal police training council in consultation with the university. [~~It~~
7 ~~shall be the duty of such police officers to preserve law and order on~~
8 ~~the campuses and other property of the university, including any portion~~
9 ~~of a public highway which crosses or abuts such property.~~]

10 Subject to the approval of the chancellor, the president of each
11 state-operated campus of the state university [~~shall~~] may enter into a
12 written agreement with adjoining law enforcement agencies establishing
13 protocols for the exercise of authority by such university police offi-
14 cer off-campus, including mutual aid and assistance. Such written proto-
15 cols shall not be deemed to supersede the authority of other police
16 officers. The provisions of this paragraph shall not apply to any of
17 the state institutions and property referred to in section five thousand
18 seven hundred nine of this chapter.

19 § 5. This act shall take effect immediately; provided, however, that
20 the amendments to paragraph (a) of subdivision 34-a of section 1.20 of
21 the criminal procedure law made by section one of this act shall be
22 subject to the expiration and reversion of such paragraph pursuant to
23 section 3 of chapter 428 of the laws of 1999, as amended, when upon such
24 date the provisions of section two of this act shall take effect.