

# STATE OF NEW YORK

5531

2023-2024 Regular Sessions

## IN ASSEMBLY

March 16, 2023

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Local Governments

AN ACT to amend the executive law, in relation to establishing the defund municipalities that defund the police act

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

1 Section 1. This act shall be known as the "Defund Municipalities that  
2 Defund the Police Act".

3 § 2. The executive law is amended by adding a new section 184 to read  
4 as follows:

5 § 184. Defund municipalities that defund the police act. 1. As used in  
6 this section, "defunding municipality" shall mean a political subdivi-  
7 sion, including counties, cities, towns and villages, that:

8 (a) abolishes or disbands the police department with no intention of  
9 reconstituting such jurisdiction's police department; or

10 (b) significantly reduces the police department's budget without real-  
11 locating a portion of that money to any other community-policing  
12 program, provided, that the jurisdiction did not face a significant  
13 decrease in revenues in the previous fiscal year.

14 2. The director of the division of budget shall withhold an amount of  
15 state funding that the defunding municipality receives from the state in  
16 accordance with subdivision three of this section. The director of the  
17 division of budget shall discontinue and reverse any withholdings made  
18 pursuant to this section upon a determination by the director that the  
19 municipality no longer qualifies as a defunding municipality under  
20 subdivision one of this section.

21 3. The amount withheld from the defunding municipality shall be an  
22 amount equal to the percentage reduction, exclusive of funds diverted  
23 for any other community-policing programs, that the defunding muni-  
24 city reduces its police department budget by.

25 § 3. This act shall take effect immediately.

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

LBD04979-01-3