

STATE OF NEW YORK

8033

2023-2024 Regular Sessions

IN ASSEMBLY

September 13, 2023

Introduced by M. of A. GANDOLFO, SLATER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to prohibiting the governor from preventing or inhibiting state agency cooperation with the federal government for the purposes of immigration enforcement

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

1 Section 1. The executive law is amended by adding a new section 13 to
2 read as follows:

3 § 13. State and federal government agency cooperation. 1. For the
4 purposes of this section the term "state agency" shall mean (a) all
5 agencies and departments over which the governor has executive authori-
6 ty; and (b) all public benefit corporations, public authorities, boards,
7 and commissions, for which the governor appoints the chair, the chief
8 executive, or the majority of board members.

9 2. The governor shall not, through executive order or any other execu-
10 tive power, prevent or inhibit state agencies and their employees,
11 including law enforcement officers, from working with federal agencies
12 for the purposes of federal immigration enforcement, nor shall the
13 governor prohibit information gathering or other forms of assistance
14 that aids in such enforcement.

15 § 2. The executive law is amended by adding a new section 30-a to read
16 as follows:

17 § 30-a. Executive department limitations. 1. For the purposes of this
18 section the term "state agency" shall mean (a) all agencies and depart-
19 ments over which the governor has executive authority; and (b) all
20 public benefit corporations, public authorities, boards, and commis-
21 sions, for which the governor appoints the chair, the chief executive,
22 or the majority of board members.

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

LBD13176-01-3

1 2. No state agency or its employees, including law enforcement offi-
2 cers, shall prevent or inhibit any collaboration with federal agencies
3 for the purposes of federal immigration enforcement.

4 § 3. Section 29-a of the executive law is amended by adding a new
5 subdivision 5 to read as follows:

6 5. No suspension shall include preventing or inhibiting state agencies
7 and their employees, including law enforcement officers, from working
8 with federal agencies for the purposes of federal immigration enforce-
9 ment. For the purposes of this subdivision the term "state agency" shall
10 mean (a) all agencies and departments over which the governor has execu-
11 tive authority; and (b) all public benefit corporations, public authori-
12 ties, boards, and commissions, for which the governor appoints the
13 chair, the chief executive, or the majority of board members.

14 § 4. This act shall take effect immediately.