

STATE OF NEW YORK

9630

IN ASSEMBLY

March 26, 2024

Introduced by M. of A. J. M. GIGLIO -- read once and referred to the Committee on Education

AN ACT to amend the education law and the racing, pari-mutuel wagering and breeding law, in relation to establishing the New York state school safety and security 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 and may be cited as the "New York
2 state school safety and security act".

3 § 2. Article 3 of the education law is amended by adding a new part 2
4 to read as follows:

PART II

SCHOOL SAFETY AND SECURITY

Section 150. Definitions.

8 151. Office of school safety and security.

9 152. School safety and security advisory board.

10 § 150. Definitions. As used in this part, the following terms shall
11 have the following meanings:

12 1. The term "office" means the office of school safety and security.

13 2. The term "advisory board" means the school safety and security
14 advisory board.

15 3. The term "executive director" means the executive director heading
16 the office.

17 § 151. Office of school safety and security. 1. There is hereby estab-
18 lished within the department an office that shall be known as the office
19 of school safety and security. The office shall create and implement
20 programs to ensure schools maintain adequate safety and security stand-
21 ards and shall serve as a clearinghouse for best practices and tech-
22 niques from school districts, law enforcement, stakeholders, and any
23 other entity as determined by the commissioner.

24 2. The office shall be headed by an executive director appointed by
25 the commissioner. The executive director shall be responsible for the
26 performance of the regular administrative functions of the office and
27 other duties as the commissioner may direct. The commissioner may employ

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

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1 persons within the office in addition to the executive director as
2 necessary to fulfill the responsibilities of the office as set forth in
3 this part.

4 3. The office shall conduct assessments for consistency with the
5 school safety and security guidelines developed by the advisory board at
6 all public educational facilities in the state each school year. Employ-
7 ees of the office shall be permitted to enter a public educational
8 facility at a reasonable time to conduct such annual assessments. The
9 executive director shall prepare a written report for each security
10 assessment conducted by the office. Such reports shall include, but not
11 be limited to, any safety or security vulnerabilities found in the
12 subject educational facility and recommendations for remedying such
13 vulnerabilities. The office shall provide a copy of the report to the
14 local education agency or institution, local and state law enforcement
15 agencies and to the school principal or institution president.

16 4. The office shall, on or before September first of each year,
17 prepare an annual report based on the findings from the previous school
18 year's assessments conducted under subdivision three of this section. A
19 copy of such report shall be submitted to the commissioner and to the
20 advisory board.

21 5. Upon request of any public educational institution, the office
22 shall provide training and technical assistance on best practices and
23 resources for school safety and security as set forth in the guidelines
24 established by the advisory board.

25 § 152. School safety and security advisory board. 1. There is hereby
26 established within the department the school safety and security advi-
27 sory board. The advisory board shall consist of fourteen members as
28 follows:

29 (a) Four members appointed by the governor as follows:

30 (i) One parent of a student who attends a New York public school;

31 (ii) One teacher who teaches in a New York public school;

32 (iii) One representative of a local school board; and

33 (iv) One representative of school superintendents;

34 (b) The chancellor of the New York city department of education or the
35 chancellor's designee;

36 (c) One representative from the state education department as
37 appointed by the commissioner;

38 (d) One representative from the New York state police as appointed by
39 the superintendent of state police;

40 (e) One representative from the New York state association of chiefs
41 of police as appointed by the executive director of the New York state
42 association of chiefs of police;

43 (f) One representative from the New York sheriffs' association as
44 appointed by the president of the New York sheriffs' association;

45 (g) One representative from the New York state association of fire
46 chiefs as appointed by the president of the New York state association
47 of fire chiefs; and

48 (h) Four representatives from the state legislature that shall include
49 one member from the senate appointed by the temporary president of the
50 senate, one member from the senate appointed by the minority leader of
51 the senate, one member from the assembly appointed by the speaker of the
52 assembly and one member from the assembly appointed by the minority
53 leader of the assembly.

54 2. The members of the advisory board shall serve the following terms:

55 (a) The gubernatorial appointees shall serve terms of three years.

56 (b) All other members shall serve terms of two years.

1 3. A vacancy on the advisory board shall be filled in the same manner
2 as the original appointment and for the balance of the unexpired term.

3 4. The advisory board shall appoint a chairperson from among its
4 members for a one year term.

5 5. The members of the advisory board shall receive no compensation for
6 their services but shall be allowed their actual and necessary expenses
7 incurred in the performance of their duties hereunder.

8 6. The advisory board shall meet at least annually but may meet more
9 frequently subject to the call of the chairperson.

10 7. The advisory board shall:

11 (a) Develop, annually review, and modify, if necessary, school safety
12 and security best practices and resources for the office to use in
13 conducting its annual assessments, training, and technical assistance.
14 Such best practices and resources shall be contained within a searchable
15 repository in machine readable format and posted on the department's
16 public website;

17 (b) Regularly assess school safety and security best practices and
18 resources that may be used in public educational facilities; and

19 (c) On or before February first of each year, report to the legisla-
20 ture and the governor on the status of school safety and security in New
21 York public educational facilities.

22 § 3. Subdivision 8 of section 1367 of the racing, pari-mutuel wagering
23 and breeding law, as added by section 3 of part Y of chapter 59 of the
24 laws of 2021, is amended to read as follows:

25 8. Notwithstanding section thirteen hundred fifty-one of this article,
26 mobile sports wagering gross gaming revenue and tax revenue shall be
27 excluded from sports wagering gross gaming revenue and tax revenue.
28 Mobile sports wagering tax revenue shall be separately maintained and
29 returned to the state for deposit into the state lottery fund for educa-
30 tion aid except as otherwise provided in this subdivision. Any interest
31 and penalties imposed by the commission relating to those taxes, all
32 penalties levied and collected by the commission, and the appropriate
33 funds, cash or prizes forfeited from sports wagering shall be deposited
34 into the state lottery fund for education. In the first fiscal year in
35 which mobile sports wagering licensees commence operations and accept
36 mobile sports wagers pursuant to this section, the commission shall pay
37 into the commercial gaming fund one percent of the state tax imposed on
38 mobile sports wagering by this section to be distributed for problem
39 gambling education and treatment purposes pursuant to paragraph a of
40 subdivision four of section ninety-seven-nnnn of the state finance law;
41 provided however, that such amount shall be equal to six million dollars
42 for each fiscal year thereafter. In the first fiscal year in which
43 mobile sports wagering licensees commence operations and accept mobile
44 sports wagers pursuant to this section, the commission shall pay one
45 percent of the state tax imposed on mobile sports wagering by this
46 section to the general fund, a program to be administered by the office
47 of children and family services for a statewide youth sports activities
48 and education grant program for the purpose of providing annual awards
49 to sports programs for underserved youth under the age of eighteen
50 years; provided however, that such amount shall be equal to five million
51 dollars for each fiscal year thereafter. Beginning in fiscal year two
52 thousand twenty-four--two thousand twenty-five, the commission shall pay
53 one percent of state tax imposed on mobile sports wagering by this
54 section to the general fund, for expenses incurred by the office of
55 school safety and security in the department of education; provided
56 however, that such amount shall not exceed the actual costs incurred in

1 the performance of the duties of such office for each fiscal year there-
2 after. The commission shall require at least monthly deposits by a plat-
3 form provider of any payments pursuant to subdivision seven of this
4 section, at such times, under such conditions, and in such depositories
5 as shall be prescribed by the state comptroller. The deposits shall be
6 deposited to the credit of the state commercial gaming revenue fund. The
7 commission shall require a monthly report and reconciliation statement
8 to be filed with it on or before the tenth day of each month, with
9 respect to gross revenues and deposits received and made, respectively,
10 during the preceding month.
11 § 4. This act shall take effect immediately.