# STATE OF NEW YORK

3527

2023-2024 Regular Sessions

# IN SENATE

January 31, 2023

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

AN ACT to amend the executive law, in relation to limitations on certain excess property provided to local law enforcement

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

Section 1. Section 837 of the executive law is amended by adding a new subdivision 24 to read as follows:

**24. (a) Prohibit a law enforcement agency from receiving or purchasing the following property from a military equipment surplus program operated by the federal government:**

**(i) drones that are armored, weaponized, or both;**

**(ii) aircraft that are combat configured or combat coded;**

**(iii) grenades or similar explosives and grenade launchers;**

**(iv) silencers;**

**(v) militarized armored vehicles;**

**(vi) camouflage uniforms;**

**(vii) bayonets;**

**(viii) riot gear including batons, helmets, and shields;**

**(ix) firearms or ammunition;**

**(x) explosives or pyrotechnics; or**

**(xi) chemical incapacitants.**

**(b) For purposes of this subdivision, "law enforcement agency" means any agency which is empowered by law to conduct an investigation or to make an arrest for a felony, and any agency which is authorized by law to prosecute or participate in the prosecution of a felony.**

**(c) If a law enforcement agency requests property from a military equipment surplus program, the law enforcement agency shall publish a notice of the request on its publicly accessible website within fourteen days after such request.**

§ 2. This act shall take effect immediately.

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

LBD02995-02-3