

STATE OF NEW YORK

4869

2023-2024 Regular Sessions

IN SENATE

February 16, 2023

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to appointment of school resource officers to private elementary and secondary schools

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

1 Section 1. The county law is amended by adding a new section 663 to
2 read as follows:

3 § 663. Appointment of school resource officers at private elementary
4 and secondary schools. 1. Notwithstanding any other provision of law to
5 the contrary, the sheriff of any county, any part or all of which falls
6 outside the limits of a city having a population of one million or more,
7 may appoint a deputy as a school resource officer, school safety offi-
8 cer, school security officer or any other substantially similar position
9 or office that is designed to provide safety and/or security on school
10 grounds, to a requesting private elementary or secondary school where
11 there are no available local police officers for appointment. The sher-
12 iff may appoint such school security officers pursuant to this section
13 only if more than fifty percent of the total acreage of real property
14 owned by or under the control of such private elementary or secondary
15 school is located within such sheriff's county of jurisdiction and
16 outside the geographic boundaries of any city within such county. The
17 sheriff may appoint such school security officers only if the county
18 legislature or board of supervisors, pursuant to local law or resolution
19 duly adopted, has authorized the sheriff to make such appointments. Any
20 such appointed school resource officers shall be employees of the
21 private elementary or secondary school requesting such appointment and
22 shall not be officers, agents, servants or employees of the appointing
23 sheriff or his county of jurisdiction nor be considered public officers,
24 agents, servants or employees.

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

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1 2. The sheriff may condition appointment as private school resource
2 officers upon compliance by such school resource officers with written
3 procedures established by the sheriff in order to ensure a coordinated
4 and cooperative law enforcement effort and the payment of an administra-
5 tive fee not to exceed fifty dollars per year per school resource offi-
6 cer, and may revoke such appointments at any time for material non-com-
7 pliance with the requirements of such written procedures or for any
8 other reason that shall disqualify a school resource officer from being
9 such school resource officer pursuant to the provisions of this section.

10 § 2. This act shall take effect on the ninetieth day after it shall
11 have become a law.