STATE OF NEW YORK

5794

2023-2024 Regular Sessions

IN SENATE

March 16, 2023

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to allowing school districts to hire school resource officers with aidable salary; and to amend the retirement and social security law, in relation to annual earnings limitations for retired police officers employed as school resource officers

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

Section 1. The education law is amended by adding a new section 2805 to read as follows:

§ 2805. School resource officers. 1. For the purposes of this section, the term "school resource officer" shall mean a school resource officer, school safety officer, school security officer, or any other substantially similar position or office, that is designed to provide improved public safety and/or security on school grounds. Such school resource officer may be a retired police officer, a retired state trooper, a retired deputy sheriff, a state trooper, a police officer in the active duty service of a town, city or village, or a deputy sheriff from a county sheriff's department.

2. Notwithstanding any other provision of law, rule, or regulation to the contrary the governing board of a school district shall be authorized, upon approval of the commissioner, to employ one or more school resource officers for each school in such school district, provided that the costs of such school resource officers shall be aidable pursuant to section thirty-six hundred nine-a of this chapter, to the same extent and on the same basis as costs otherwise allocated to such school district.

3. A school resource officer may be requested pursuant to subdivision two of this section by a school district for up to six days per week throughout the entire school year.

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

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§ 2. Section 212 of the retirement and social security law is amended by adding a new subdivision 4 to read as follows:

4. Notwithstanding the provisions of subdivisions one and two of this section, such annual earnings limitations for a retired police officer employed by a school district, in either the classified or unclassified service as a school resource officer, as defined by section twenty-eight hundred five of the education law, or any other substantially similar position or office that is designed to provide safety and/or security on school grounds, provided that such retired police officer is duly qualified, competent and physically fit for performance of the duties of the position in which he or she is to be employed as determined by the school district and is properly certified where such certification is required, shall be fifty thousand dollars for the year two thousand twenty-four and thereafter.

§ 3. This act shall take effect immediately.