

STATE OF NEW YORK

5887--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. McMAHON, LUPARDO, GRIFFIN, SCHIAVONI, STECK, CLARK, PHEFFER AMATO, BUTTENSCHON, LUNSFORD, CHLUDZINSKI, KASSAY, ANGELINO, STERN, STIRPE, McDONALD, GRAY, WOERNER, GIGLIO, MORINELLO, COLTON, DeSTEFANO, EACHUS, SMITH -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, the criminal procedure law and the retirement and social security law, in relation to the geographic area of employment of state university police officers, centralization of the state university police, and hiring of state university police officers; and to repeal paragraph (d) of subdivision 34-a of section 1.20 of the criminal procedure law relating thereto

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that maintaining a safe environment for individuals studying on
3 the campuses of the state university of New York is of critical impor-
4 tance, and that a well trained and well organized campus police force is
5 vital to ensure that safety. The legislature also finds that the current
6 structure of the campus police force at the state university is ineffi-
7 cient, subject to an excessive and unpredictable management salary
8 structure, and does not ensure an equal level of security and protection
9 at the many campuses across the state. The intent of this act is to
10 create a system of police organization at the state university that
11 borrows the lessons learned by other successful police forces, such as
12 the New York state police, and creates a unified and clear rank and file
13 and command structure that empowers individuals with law enforcement
14 experience to make decisions based on current law enforcement best prac-
15 tices and in the best interest of public safety. The legislature

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

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1 acknowledges the individual character and physical layout of each campus
2 and finds that it is possible for a central police command to manage
3 diverse campus needs.

4 § 2. Paragraph 1 of subdivision 2 of section 355 of the education
5 law, as amended by chapter 424 of the laws of 1998, is amended to read
6 as follows:

7 1. To appoint a commissioner of state university police who shall be a
8 sworn member of the state university police [~~officers who shall have the~~
9 ~~powers of police officers~~] and to remove such commissioner of state
10 university police [~~officers~~] at pleasure; provided, however, that any
11 person appointed [~~a~~] as commissioner of state university police [~~offi-~~
12 ~~cer~~] must have satisfactorily completed or complete within one year of
13 the date of [~~his~~] such person's appointment a course of law enforcement
14 training approved by the municipal police training council [~~in consulta-~~
15 ~~tion with the university. It shall be the duty of such police officers~~
16 ~~to preserve law and order on the campuses and other property of the~~
17 ~~university, including any portion of a public highway which crosses or~~
18 ~~abuts such property~~] The state university of New York trustees shall
19 appoint a commissioner of state university police who shall have the
20 authority to appoint university police officers. The commissioner of
21 state university police shall have the authority to appoint a university
22 police officer to serve as the deputy commissioner of state university
23 police; provided, however, the commissioner of state university police
24 shall have no authority to appoint additional deputy commissioners.
25 Provided further, all unclassified positions in the state university
26 police shall remain in the unclassified service and no employee or posi-
27 tion in the unclassified service shall be transferred, appointed or
28 reclassified into the classified service or to a management confidential
29 position. The collective bargaining unit membership status of all
30 unclassified employees working in the state university of police shall
31 be preserved and protected and the professional staff negotiating unit
32 (PSNU) shall maintain exclusive representational rights of all employees
33 in the unclassified service including those positions historically
34 promoted from the state university police ranks. The commissioner of
35 state university police shall have the authority to appoint university
36 police officers. The commissioner of state university police shall have
37 supervisory and administrative authority over all university police
38 officers in the state of New York.

39 [~~Subject to the approval of the chancellor, the president of each~~
40 ~~state-operated campus of the~~] State university police may only operate
41 off-campus pursuant to a written agreement between the commissioner of
42 the state university [~~shall~~] police [~~enter into a written agreement~~
43 ~~with~~] and adjoining law enforcement agencies establishing protocols for
44 the exercise of authority by such university police [~~officer~~] officers
45 off-campus, including but not limited to mutual aid [~~and~~], assistance,
46 and off-campus events. Such written agreement may be amended as both
47 parties agree. Such written protocols shall not be deemed to supersede
48 the authority of other police officers. The provisions of this para-
49 graph shall not apply to any of the state institutions and property
50 referred to in section five thousand seven hundred nine of this chapter.

51 § 3. Paragraph (s) of subdivision 34 of section 1.20 of the criminal
52 procedure law, as amended by section 13 of part BBB of chapter 59 of the
53 laws of 2021, is amended to read as follows:

54 (s) A [~~university police officer appointed by the state university~~
55 ~~pursuant to paragraph 1 of subdivision two of section three hundred~~
56 ~~fifty-five of the education law where such department or force is certi-~~

1 ~~ried in accordance with paragraph (d) of subdivision one of section~~
2 ~~eight hundred forty six h of the executive law] sworn member of the~~
3 ~~state university police;~~

4 § 4. Paragraph (a) of subdivision 34-a of section 1.20 of the criminal
5 procedure law, as amended by chapter 428 of the laws of 1999, is amended
6 to read as follows:

7 (a) [~~Except as provided in paragraph (d) of this subdivision,~~] New
8 York state constitutes the "geographical area of employment" of any
9 police officer employed as such by an agency of the state or by an
10 authority which functions throughout the state, or a police officer
11 designated by the superintendent of state police pursuant to section two
12 hundred twenty-three of the executive law;

13 § 5. Paragraph (a) of subdivision 34-a of section 1.20 of the criminal
14 procedure law, as amended by chapter 424 of the laws of 1998, is amended
15 to read as follows:

16 (a) [~~Except as provided in paragraph (d),~~] New York state constitutes
17 the "geographical area of employment" of any police officer employed as
18 such by an agency of the state or by an authority which functions
19 throughout the state;

20 § 6. Paragraph (d) of subdivision 34-a of section 1.20 of the criminal
21 procedure law is REPEALED.

22 § 7. Subparagraph 6 of paragraph (a) of subdivision 2 of section 211
23 of the retirement and social security law, as amended by chapter 753 of
24 the laws of 1976, is amended to read as follows:

25 (6) the chancellor of state university if such person is to be
26 employed in the unclassified service of the state university of New
27 York, or in the professional service at the state colleges of agricul-
28 ture, home economics, veterinary medicine or industrial and labor
29 relations, the state agricultural experiment station at Geneva or any
30 other institution or agency under the management and control of Cornell
31 university as representative of the board of trustees of state universi-
32 ty of New York, or at the state college of ceramics under the management
33 and control of Alfred university as representative of the board of trus-
34 tees of state university of New York or in the unclassified service of a
35 community college other than those in the city of New York, unless such
36 person is to be employed as the commissioner of state university police
37 or as a university police officer; or

38 § 8. This act shall take effect on the first of January next succeed-
39 ing the date on which it shall have become a law; provided, however,
40 that the amendments to paragraph (a) of subdivision 34-a of section 1.20
41 of the criminal procedure law made by section four of this act shall be
42 subject to the expiration and reversion of such paragraph pursuant to
43 section 3 of chapter 428 of the laws of 1999, as amended, when upon such
44 date the provisions of section five of this act shall take effect.