

STATE OF NEW YORK

8492--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to prohibiting certain officers of state law enforcement agencies from having certain offensive or inappropriate tattoos

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

1 Section 1. The executive law is amended by adding a new section 837-z
2 to read as follows:

3 § 837-z. Tattoo policies; law enforcement agencies. 1. For the
4 purposes of this section, the following terms shall have the following
5 meanings:

6 (a) "Extremist tattoo" shall mean any tattoo that depicts, describes,
7 symbolizes or refers to extremist philosophies, ideologies, or activ-
8 ities, including, but not limited to any depiction, description, symbol
9 or reference that:

10 (i) is inspired by, or associated with, a designated foreign terrorist
11 organization or domestic terrorist or violent domestic extremist organ-
12 ization or group identified or designated as such by the United States
13 department of justice or any other organization or group or that advo-
14 cates intolerance of, or discrimination against, any race, color,
15 national origin, ancestry, gender, gender identity or expression, reli-
16 gion, religious practice, or sexual orientation;

17 (ii) encourages, promotes, or advocates the commission of a hate crime
18 as defined in section 485.05 of the penal law against any group or
19 groups of individuals;

20 (iii) encourages, promotes or advocates discrimination or intolerance
21 against any individual or group based on race, color, national origin,
22 ancestry, gender, gender identity or expression, religion, religious

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

LBD11674-04-5

1 practice, or sexual orientation or any other status protected by federal
2 law or the laws of this state;

3 (iv) encourages, promotes or advocates for violence or other unlawful
4 means of depriving or violating the rights guaranteed to an individual
5 under the United States Constitution, the state constitution, or any
6 other applicable federal or state law on the basis of race, color,
7 national origin, ancestry, gender, gender identity or expression, reli-
8 gion, religious practice, or sexual orientation or any other status
9 protected by federal law or the laws of this state; or

10 (v) any other symbol, description, depiction or reference designated
11 as such by the commissioner in coordination with the commissioner of the
12 division of human rights and in consultation with any other appropriate
13 public or private agency, including any federal or state law enforcement
14 agency.

15 (b) "Tattoo" is defined as a mark on the body of a person made with
16 indelible ink or pigments injected beneath the outer layer of the skin
17 that is permanent and difficult to reverse or remove in terms of finan-
18 cial cost, discomfort, and effectiveness of removal techniques. For
19 purposes of this section, "tattoo" shall also include marks made on the
20 body of a person by method of branding or scarring that are permanent
21 and difficult to reverse or remove in terms of financial cost, discom-
22 fort, and effectiveness of removal techniques.

23 (c) "Sleeve tattoo" means a large tattoo, or a collection of smaller
24 tattoos, that covers most or all of an individual's arm, usually from
25 shoulder to wrist.

26 (d) "Indecent tattoo" shall mean a tattoo that is otherwise grossly
27 offensive to modesty, decency, propriety, or professionalism, including,
28 for the purposes of illustration and not limitation, depictions of sexu-
29 ally suggestive or explicit images, depictions of obscene material with-
30 in the meaning of section 235.00 of the penal law, or any other
31 depiction, description or reference that violates a reasonable person's
32 standard of decency or morality.

33 (e) "Sexist tattoo" shall mean a tattoo that advocates a philosophy
34 that degrades or demeans a person based on sex or gender.

35 (f) "Racist tattoo" shall mean a tattoo that advocates a philosophy
36 that degrades or demeans a person based on race, color, ethnicity, or
37 national origin.

38 (g) "State agency" shall mean any department, division, board, bureau,
39 commission, office, agency, authority or public corporation of the
40 state.

41 (h) "State law enforcement agency" shall mean the division of state
42 police, the department of corrections and community supervision, the
43 division of law enforcement in the department of environmental conserva-
44 tion, and any other state agency as defined in paragraph (g) of this
45 section or state authority as defined in section two of the public
46 authorities law that employs individuals designated as police officers
47 pursuant to subdivision thirty-four of section 1.20 of the criminal
48 procedure law or individuals designated as peace officers pursuant to
49 subdivision twenty-five of section 2.10 of the criminal procedure law,
50 but shall not include any police officer or peace officer employed by
51 any municipality as defined in section eight hundred thirty-five of this
52 article or any other local agency or local authority.

53 2. (a) The commissioner, the superintendent of the division of the
54 state police, the commissioner of the department of corrections and
55 community supervision, and the person in charge of every state law
56 enforcement agency as defined in paragraph (h) of subdivision one of

1 this section shall adopt and implement a tattoo policy for all members
2 of such law enforcement agency who are designated as police officers
3 pursuant to section 1.20 of the criminal procedure law or as peace offi-
4 cers pursuant to subdivision twenty-five of section 2.10 of the criminal
5 procedure law and all applicants for employment in such positions with
6 such agency.

7 (b) Each policy established pursuant to paragraph (a) of this subdivi-
8 sion shall establish guidelines that permit appropriate tattoos and
9 prohibit inappropriate or offensive tattoos for applicants to and
10 members of such state law enforcement agencies in accordance with the
11 provisions of this section. Except as provided in subdivision three of
12 this section, such policy shall:

13 (i) permit such police officers and peace officers and applicants for
14 employment as police officers and peace officers within such agency to
15 have arm, leg, back, or torso tattoos, including sleeve tattoos,
16 provided however that such policies may require the covering of such
17 tattoos in the course of employment;

18 (ii) prohibit hand tattoos with the exception of no more than one ring
19 tattoo on each hand below the joint of the bottom segment (portion clos-
20 est to the palm) of the finger; and

21 (iii) prohibit hand, face, and neck tattoos.

22 (c) Nothing in this section shall limit the authority of a state law
23 enforcement agency to establish rules prohibiting any tattoo that is not
24 explicitly authorized by paragraph (b) of this subdivision.

25 3. (a) Notwithstanding any contrary provision of law, every tattoo
26 policy adopted pursuant to this section shall prohibit and no such poli-
27 cy shall authorize any of the following tattoos:

28 (i) indecent tattoos;

29 (ii) sexist tattoos;

30 (iii) racist tattoos;

31 (iv) gang affiliated tattoos;

32 (v) extremist tattoos; or

33 (vi) any other tattoo that disparages any race, color, national
34 origin, ancestry, gender, gender identity or expression, religion, reli-
35 gious practice, or sexual orientation.

36 (b) Beginning on the effective date of this section and thereafter, no
37 person who has any tattoo described in paragraph (a) of this subdivision
38 shall be eligible for provisional or permanent appointment as a police
39 officer or peace officer in any state law enforcement agency.

40 4. No state law enforcement agency shall be authorized to establish or
41 permit an exception for any tattoo prohibited by subdivision three of
42 this section unless such exception shall have been approved by the
43 commissioner in accordance with rules and regulations promulgated for
44 such purpose.

45 § 2. This act shall take effect on the sixtieth day after it shall
46 have become a law. Effective immediately, the addition, amendment and/or
47 repeal of any rule or regulation necessary for the implementation of
48 this act on its effective date are authorized to be made and completed
49 on or before such effective date.