STATE OF NEW YORK

8021--C

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to requiring state law enforcement agencies to develop and implement a tattoo policy

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

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

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

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

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

(c) "State law enforcement agency" shall mean the division of state police, the department of corrections and community supervision, the

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

LBD11674-10-6

division of law enforcement in the department of environmental conservation, and any other state agency as defined in paragraph (b) of this subdivision or state authority as defined in section two of the public authorities law that employs individuals designated as police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or individuals designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, but shall not include any police officer or peace officer employed by any municipality as defined in section eight hundred thirty-five of this article or any other local agency or local authority.

2. (a) The commissioner, the superintendent of the division of the state police, the commissioner of the department of corrections and community supervision, and the person in charge of every state law enforcement agency as defined in paragraph (c) of subdivision one of this section shall adopt and implement a tattoo policy for all members of such law enforcement agency who are designated as police officers pursuant to section 1.20 of the criminal procedure law or as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law and all applicants for employment in such positions with such agency.

(b) Each policy established pursuant to paragraph (a) of this subdivision shall establish guidelines which will include but not be limited to:

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

(ii) prohibiting hand tattoos with the exception of no more than one ring tattoo on each hand below the joint of the bottom segment (portion closest to the palm) of the finger; and

(iii) prohibiting hand, face, and neck tattoos.

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

(d) This section shall not be construed to prevent any person currently employed by a state agency from continuing to serve.

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