

# STATE OF NEW YORK

2558

2025-2026 Regular Sessions

## IN ASSEMBLY

January 17, 2025

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the appointment and reporting duties of the superintendent of the state police, the appointment of employees of the state police and the approval of certain duties of the state police

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

1 Section 1. Section 210 of the executive law, as amended by chapter 169  
2 of the laws of 1994, is amended to read as follows:

3 § 210. Division of state police. (a) The division of state police in  
4 the executive department shall be known as the "New York State Police."

5 (b) (1) The head of the New York state police shall be the superinten-  
6 dent of state police who shall be appointed by the governor by and with  
7 the advice and consent of the senate, and hold office during [~~his or~~  
8 ~~her~~] the governor's pleasure. The superintendent shall be a member of  
9 the state police, shall receive as salary such sum as may be appropri-  
10 ated by law, and shall accrue such leave credits and be eligible for the  
11 same retirement benefits, service credits and other benefits as any  
12 other member of the state police. The superintendent of state police  
13 shall have control of all staffing decisions, resource allocation and  
14 unit assignments within the state police. If, prior to appointment, the  
15 superintendent served as a member of the state police, [~~he or she~~] the  
16 superintendent, upon appointment, shall be entitled to continue to  
17 accrue and receive such credits and benefits as [~~he or she~~] the super-  
18 intendent would have been entitled to accrue and receive prior to  
19 appointment.

20 (2) If, prior to [~~his or her~~] the superintendent's appointment, the  
21 superintendent shall have served as a member of the State Police for a  
22 period of ten years or more, [~~he or she~~] the superintendent shall,  
23 provided [~~he or she~~] the superintendent is not eligible for retirement,

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

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1 upon termination of service as superintendent, be reappointed, without  
2 examination, as a member of the state police in the grade held by [~~him~~  
3 ~~or her~~] the superintendent prior to appointment as superintendent,  
4 notwithstanding the absence of any vacancy in such grade. For the  
5 purpose of determining the annual salary to be paid upon such reappoint-  
6 ment, the period of service as superintendent shall be counted as  
7 service in the grade to which reappointed.

8 (3) Effective with respect to any individual appointment by the gover-  
9 nor, by and with the advice and consent of the senate, after January  
10 first, two thousand twenty-six, the term of service of the superinten-  
11 dent of the state police shall be seven years. A superintendent may not  
12 serve more than one seven-year term. The appointment of the first depu-  
13 ty superintendent shall also be subject to senate confirmation.

14 (4) Notwithstanding sections thirty-three and thirty-three-a of the  
15 public officers law, a superintendent shall be removed from office for  
16 failure to fulfill the duties of the office by the governor and with a  
17 two-thirds vote of the whole number of members of each house of the  
18 legislature or in accordance with the provisions of paragraphs e, f or g  
19 of subdivision one of section thirty of the public officers law.

20 (5) In the event the superintendent resigns from office, is removed  
21 from office or is incapable of continuing in office due to physical  
22 illness, mental illness or death the first deputy superintendent shall  
23 assume the superintendent position. If after forty-five days the gover-  
24 nor has not appointed a new superintendent to a full term, the first  
25 deputy superintendent shall complete the remainder of the previous  
26 superintendent's term. Upon assumption of the duties of superintendent,  
27 the first deputy superintendent shall be subject to all requirements and  
28 provisions associated with the superintendent's position. If the first  
29 deputy superintendent completes the term of a previously appointed  
30 superintendent, the first deputy is eligible for appointment to a full  
31 term as superintendent in the first deputy's own right. All other poten-  
32 tial replacements within the ranks of the state police or from outside  
33 its ranks for superintendent, in the event the first deputy is unable to  
34 complete the previous superintendent's position, shall have the same  
35 rights and eligibilities as the first deputy superintendent and shall be  
36 subject to all the requirements and provisions associated with the  
37 superintendent.

38 § 2. The executive law is amended by adding a new section 210-a to  
39 read as follows:

40 § 210-a. Superintendent's annual reports and biennial testimony. (a)  
41 The superintendent shall submit an annual report to the governor, the  
42 temporary president of the senate, the speaker of the assembly, the  
43 minority leader of the senate and the minority leader of the assembly no  
44 later than September first of each year.

45 (1) Such report shall contain the following information:

46 (A) a detailed description of any special requests made by or on  
47 behalf of the governor or any member of the legislature for services of  
48 the state police beyond traditional services provided by the state  
49 police. Such description shall include whether the request was approved  
50 or denied by the superintendent of state police;

51 (B) a detailed description of any information, unless it is privileged  
52 or requires confidentiality, provided by the state police to the gover-  
53 nor, and/or the governor's staff, and/or to any member of the legisla-  
54 ture, and/or such member's staff, beyond the general programmatic and  
55 budgetary reporting requirements of the state police and a description  
56 of the purpose for which such information was provided;

1 (C) a description of any special disciplinary actions taken by the  
2 superintendent regarding inter- or intra-governmental affairs involving  
3 state police personnel, based upon special requests made to the state  
4 police by or on behalf of the governor, any member of the legislature  
5 and/or any other public or quasi-public entity;

6 (D) a description of each request made by or on behalf of the governor  
7 and/or the governor's staff, and/or any member of the legislature and/or  
8 such member's staff, for information of any kind other than the general  
9 information provided by the state police to the executive branch, the  
10 legislative branch, public authorities or local government entities; and

11 (E) a description of all officer transfers to or from the executive  
12 services unit or any other unit associated with security and/or protect-  
13 ing other elected officials, and reason for the change. For transfers  
14 from the executive services unit the superintendent of state police  
15 shall include a description of what unit the officer transferred to. All  
16 officer transfers to or from the executive services unit shall require  
17 the approval of the superintendent of state police.

18 (2) The superintendent shall include a signed certification with the  
19 report that the information provided is true to the best of the super-  
20 intendent's knowledge. If such certification is found to be false, the  
21 superintendent may be subject to removal by the legislature.

22 (b) Every two years, commencing in two thousand twenty-six, the super-  
23 intendent shall attend a proceeding to testify before the senate finance  
24 committee, the assembly ways and means committee, the senate investi-  
25 gations and government operations committee and the assembly oversight,  
26 analysis and investigation committee to review the personnel and admin-  
27 istrative activities of the state police and the future plans and initi-  
28 ative of the state police. Such proceeding shall be conducted jointly at  
29 the direction of the temporary president of the senate and the speaker  
30 of the assembly and shall take place no later than November first of  
31 every other year during which the proceeding is conducted.

32 (c) The reporting requirements described in this section shall be in  
33 addition to, and not in lieu of, any other reporting requirements  
34 provided by law.

35 (d) As used in this section, "traditional services" means services  
36 rendered by the state police to:

37 (1) protect people and property;

38 (2) prevent and detect crime and other violations of law and pursue  
39 criminal investigations and arrest criminals; and make roads safe for  
40 all users;

41 (3) reduce the deaths, injuries and property damage caused by motor  
42 vehicle accidents through vehicle and traffic enforcement and  
43 education;

44 (4) provide disorder control and security in all types of natural  
45 and human-made emergencies; and provide for the safety and security of  
46 individuals and groups of citizens in furtherance of their rights,  
47 duties and responsibilities; and

48 (5) support other entities by creating partnerships for safety and  
49 security with individuals, groups and communities throughout the  
50 state.

51 § 3. Section 211 of the executive law, as amended by chapter 331 of  
52 the laws of 1993, is amended to read as follows:

53 § 211. Employees. (a) The superintendent may appoint such employees as  
54 may be necessary and fix their compensation within such sum as may be  
55 appropriated by law. Persons appointed to competitive positions within  
56 the division who meet the definition of veteran or disabled veteran as

1 defined in section eighty-five of the civil service law shall be enti-  
2 tled to additional credit and preference as conferred by that law and in  
3 the same manner, except that, notwithstanding any law to the contrary,  
4 with respect to any candidate applying for credit in a competitive exam-  
5 ination for original appointment as a disabled or non-disabled veteran,  
6 such candidate may apply provisionally for such credit while still an  
7 active member of the armed forces. The application for provisional cred-  
8 it may be made at any time between the date of [~~his or her~~] the candi-  
9 date's application for the competitive examination and the date the  
10 eligible list is established. In cases where there has been a provi-  
11 sional application, the superintendent shall grant final credit only if  
12 the candidate renews [~~his or her~~] the application within ninety days  
13 following termination of the candidate's military duty, and the candi-  
14 date's period of eligibility on the list has not expired, and the candi-  
15 date satisfies the appropriate statutory requirements for eligibility.  
16 Pending the granting of final credit, the candidate's ranking on any  
17 eligible list shall reflect the provisional credit.

18 (b) (1) Any employee appointed to the executive services unit or any  
19 other unit associated with security and/or protecting other elected  
20 and/or public officials shall hold such appointment for no more than two  
21 years after which period, the employee shall be reappointed to the posi-  
22 tion such employee held prior to the appointment to the executive  
23 services unit or any other unit associated with security and/or protect-  
24 ing other elected and/or public officials or to such other position and  
25 duties as are determined by the superintendent.

26 (2) No employee appointed as provided in paragraph one of this subdivi-  
27 vision shall provide services that constitute a violation of the  
28 provisions of paragraph d of subdivision three of section seventy-four  
29 of the public officers law. Any requests for such services shall be  
30 referred by the employee to the employee's superior who shall refer the  
31 request to the superintendent. The superintendent shall approve or  
32 disapprove all such requests.

33 § 4. This act shall take effect on the first of January next succeed-  
34 ing the date upon which it shall have become a law.