

STATE OF NEW YORK

3619

2025-2026 Regular Sessions

IN ASSEMBLY

January 29, 2025

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

AN ACT to amend the executive law, in relation to granting the attorney-general jurisdiction to investigate and prosecute police misconduct

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

1 Section 1. Section 63 of the executive law is amended by adding a new
2 subdivision 18 to read as follows:

3 18. Investigate the alleged commission of any criminal offense or
4 offenses by a police officer as defined in subdivision seven of section
5 eight hundred thirty-five of this chapter, whether or not in connection
6 with the performance of such police officer's official duties, and pros-
7 ecute any such person or persons believed to have committed such crimi-
8 nal offense or offenses. In all such proceedings, the attorney-general
9 may appear in person, or by the attorney-general's deputy or assistant,
10 before any court or grand jury thereof and exercise all of the powers
11 and perform all of the duties with respect to such actions or
12 proceedings which a district attorney would otherwise be authorized or
13 required to exercise or perform, provided however that the court and/or
14 grand jury not be located within the county where the criminal offense
15 is alleged to have occurred. In any of such actions or proceedings, the
16 district attorney for the county where the criminal offense is alleged
17 to have occurred and the district attorney for the county in which the
18 court is located shall only exercise such powers and perform such duties
19 as are required of such district attorneys by the attorney-general or
20 the deputy or assistant attorney-general so attending. In all such
21 proceedings, all expenses incurred by the attorney-general, including
22 the salary or other compensation of all deputies and assistants
23 employed, shall be a charge against the county where the matter would
24 otherwise have been prosecuted.

25 § 2. This act shall take effect on the ninetieth day after it shall
26 have become a law.

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

LBD06401-01-5