STATE OF NEW YORK

6452

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

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

AN ACT to amend the executive law, in relation to the development of a critical incident policy for members of the division of state police

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 214-j to read as follows:

§ 214-j. Critical incident policy. 1. The superintendent shall develop, maintain and disseminate to all members of the division of state police a critical incident leave policy requiring critical incident paid leave for any members of the division of state police directly involved in a critical incident.

2. For purposes of this section, the following terms shall have the following meanings:

(a) the term "critical incident" shall mean any action taken by a member of the division of state police during the course of the performance of their official duties resulting in the serious physical injury or death of another person; and

(b) the term "critical incident paid leave" shall mean paid leave of thirty calendar days for any member of the division of state police whose official actions were the direct and proximate cause of the serious physical injury or death of another person, and paid leave of fifteen calendar days for any member of the division of state police who, although directly involved in a critical incident, was not the direct and proximate cause of the serious physical injury or death of another person.

3. The superintendent shall be prohibited from taking any punitive administrative action against any member of the division of state police granted critical incident leave under this section solely on the basis of the provision of such leave.

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

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§ 2. This act shall take effect on the one hundred twentieth 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.