

STATE OF NEW YORK

6560

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

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

AN ACT to amend the executive law, the county law, the town law and chapter 360 of the laws of 1911 relating to police in certain municipalities, in relation to the transfer, acceptance, or purchase of military weapons from the United States government

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

1 Section 1. Section 212 of the executive law, as amended by chapter 83
2 of the laws of 1995, is amended to read as follows:

3 § 212. Equipment. The superintendent is authorized on behalf of the
4 state to purchase, lease or lease-purchase, within the amounts appropriated therefor, necessary equipment and supplies, including but not
5 limited to, vehicles and aircraft subject to the approval of the director of the budget, and uniforms; when any state property shall become
6 unfit for use it shall be disposed of in accordance with the provisions
7 of the state finance law. The superintendent, or the superintendent's
8 deputies, shall not authorize the transfer, acceptance, or purchase of
9 military weapons from the United States government.

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11 § 2. The executive law is amended by adding a new section 837-y to
12 read as follows:

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14 § 837-y. Exceptions to ban on participation in 1033 federal excess
15 property program. Notwithstanding any other provision of law to the
16 contrary, the city of New York and the division of state police shall be
17 authorized to accept, purchase, or receive military weapons, gear or
18 machinery from the United States government for the purposes of counter-
19 terrorism in consultation with the United States department of homeland
20 security.

21 § 3. Section 656 of the county law is amended to read as follows:

22 § 656. Emergency equipment and apparatus. If, in the protection of
23 human life and property, the sheriff shall deem it necessary to hire any

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

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1 equipment or apparatus together with the operator thereof, ~~[he]~~ the
2 sheriff may hire the same during the period of an emergency or catastro-
3 phe at a reasonable charge therefor. The same shall be audited and paid
4 as a county charge in the manner prescribed by the board of supervisors,
5 and in the discretion of such board, there may be a direction that the
6 further hiring and payment be approved by the ~~[chairman]~~ chair of the
7 board or of a designated committee of such board. The sheriff, or such
8 sheriff's deputies, shall not authorize the transfer, acceptance, or
9 purchase of military weapons from the United States government.

10 § 4. Subdivision 1 of section 150 of the town law, as amended by chap-
11 ter 476 of the laws of 2018, is amended to read as follows:

12 1. The town board of any town may establish a police department and
13 appoint a chief of police and such officers as may be needed and fix
14 their compensation. The compensation of such police officers shall be a
15 town charge; providing however, no assessment on property in any village
16 within any town or partially within any town shall be made for the main-
17 tenance or operation of a town police department established after Janu-
18 ary first, nineteen hundred sixty, pursuant to this section if any such
19 village maintains a police department of four or more police officers on
20 an annual full-time basis, established and maintained under the rules of
21 civil service. The town board may, at its option, determine that the
22 town shall pay all or part of the cost of the uniforms and necessary
23 equipment of its police officers, and may purchase such equipment for
24 use by the police department as it shall deem necessary, including
25 police patrol vehicles, and emergency service vehicles for police use in
26 connection with accidents, public calamities or other emergencies. The
27 town board or local police department shall not authorize the transfer,
28 acceptance, or purchase of military weapons from the United States
29 government. No assessment on property in any village within any town in
30 the county of Suffolk or in any village within the town of Fallsburgh
31 shall be made for the maintenance or operation of such town police
32 department, if any such village maintains a police department of two or
33 more police officers on an annual basis. In the event that a town has
34 established a police department prior to January first, nineteen hundred
35 sixty, the town board of such town may enter into an agreement with any
36 village within it or partially within it which maintains a police
37 department of four or more police officers on an annual full-time basis,
38 established and maintained under the rules of civil service and deter-
39 mine therein what part of the cost thereof shall be assessed against the
40 property in the village and what part thereof shall be assessed against
41 the property in the town outside of the village. Thereafter such portion
42 of the cost thereof determined to be assessed outside of the village
43 shall be a charge against that part of the town outside of the village
44 and assessed, levied and collected from the taxable property of that
45 part of the town outside of the village. When appointed, such police
46 officers shall have all the powers and be subject to all the duties and
47 liabilities of a police officer in all criminal actions and proceedings
48 and special proceedings of a criminal nature.

49 § 5. Chapter 360 of the laws of 1911 relating to police in certain
50 municipalities is amended by adding a new section 4-a to read as
51 follows:

52 § 4-a. Any commissioner of police, superintendent of police, chief of
53 police, or other officer or officers, having the management, control or
54 direction of the police force is authorized to purchase, lease or lease-
55 purchase, necessary equipment for department police officers, and may
56 purchase such equipment for use by the police department as such person

1 shall deem necessary, including police patrol vehicles, and emergency
2 service vehicles for police use in connection with accidents, public
3 calamities or other emergencies. The commissioner of police, superinten-
4 dent of police, chief of police, or other officer or officers, having
5 the management, control or direction of the police force shall not
6 authorize the transfer, acceptance, or purchase of military weapons from
7 the United States government.

8 § 6. This act shall take effect immediately.