STATE OF NEW YORK

501

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to the office of special investigation

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

Section 1. Subdivisions 2 and 6 of section 70-b of the executive law, as added by chapter 95 of the laws of 2020, are amended to read as follows:

2. The attorney general has investigative authority and criminal jurisdiction under this section at the time of the death of the person and the attorney general retains investigative authority and criminal jurisdiction over the incident unless the attorney general determines that such incident does not meet the requirements of this section. If the attorney general determines the incident does not meet the requirements for the attorney general to have investigative authority and criminal jurisdiction pursuant to this section, the attorney general shall, [~~as soon as practicable~~] **within sixty days**, provide written notice of such determination to the district attorney for the county in which the incident occurred.

6. (a) For any incident under this section, the office of special investigation shall issue a public report and post the report on its website whenever the office of special investigation initiates an investigation and (i) the office of special investigation declines to present evidence to a grand jury or (ii) the office of special investigation does present evidence to a grand jury but the grand jury declines to return indictment on any charges. The report will include, to the extent possible and lawful, the results of the investigation of the incident. **Such report shall be issued within sixty days of the initiation of the**

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

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investigation; provided that such period may, for good cause shown, be extended for thirty day intervals.

(b) The report shall also include: (i) with respect to subparagraph (i) of paragraph (a) of this subdivision, an explanation as to why the office of special investigation declined to present evidence to a grand jury; and (ii) any recommendations for systemic or other reforms arising from the investigation.

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