

STATE OF NEW YORK

7698

2025-2026 Regular Sessions

IN SENATE

April 30, 2025

Introduced by Sen. CHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

AN ACT to amend the public officers law and the administrative code of the city of New York, in relation to defense and indemnification of officers and employees of public entities; and to repeal chapter 8 of title 8 of the administrative code of the city of New York relating to the right of security against unreasonable search and seizure

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

1 Section 1. Subdivision 2 of section 18 of the public officers law, as
2 added by chapter 277 of the laws of 1981, is amended to read as follows:

3 2. The provisions of this section shall apply to [~~any public entity~~]:

4 (a) a city with a population of one million or more; and

5 (b) any other public entity:

6 (i) whose governing body has agreed by the adoption of local law,
7 by-law, resolution, rule or regulation [~~(i)~~] (1) to confer the benefits
8 of this section upon its employees, and [~~(ii)~~] (2) to be held liable for
9 the costs incurred under these provisions; or

10 [~~(b)~~] (ii) where the governing body of a municipality, for whose bene-
11 fit the public entity has been established, has agreed by the adoption
12 of local law or resolution [~~(i)~~] (1) to confer the benefits of this
13 section upon the employees of such public entity, and [~~(ii)~~] (2) to be
14 held liable for the costs incurred under these provisions.

15 § 2. Chapter 8 of title 8 of the administrative code of the city of
16 New York is REPEALED.

17 § 3. Section 7-114 of the administrative code of the city of New York,
18 as amended by local law number 27 of the city of New York for the year
19 2024, is amended to read as follows:

20 § 7-114 Civil actions regarding the police department [~~and covered~~
21 ~~individuals~~].

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

LBD11254-01-5

~~[a. Definitions. For purposes of this section, the following terms have the following meanings:~~

~~Covered action. The term "covered action" means a civil action filed in local, state or federal court against the police department or a covered individual, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8.~~

~~Covered individual. The term "covered individual" has the meaning ascribed to such term in section 8-801.~~

~~b.] No later than January 31, 2025 and no later than each July 31 and January 31 thereafter, the law department shall post on its website [in a searchable and machine-readable format], and provide notice of such posting to the individual responsible for implementing the duties set forth in paragraph one of subdivision c of section 803 of the charter, the comptroller, the police department, the civilian complaint review board, and the commission to combat police corruption, the following information regarding [covered] civil actions filed in local, state or federal court against the police department resulting from allegations of improper police conduct:~~

~~1. a list of [covered] civil actions filed against the police department or a covered individual, or both, during the five-year period preceding each January 1 or July 1 immediately preceding each report[, and each covered action filed prior to such five-year period that has been resolved during the six-month period preceding each such January 1 or July 1];~~

~~2. for each such [covered] action: (i) the [names] identities of the plaintiffs and defendants; (ii) the court in which the action was filed; (iii) the name of the law firm representing the plaintiff; (iv) the name of the law firm or agency representing each defendant; (v) the date the action was filed; and (vi) whether the plaintiff alleged improper police conduct[, including, but not limited to, claims involving use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8]; and~~

~~3. [for any such covered] if an action [that] has been resolved: (i) the date on which it was resolved; (ii) the manner in which it was resolved; and (iii) whether the resolution included a payment to the plaintiff by the city, or by a covered individual or an employer or other person paying on behalf of a covered individual, and, if so, the amount of such payment.~~

~~[c. No later than January 31, 2025, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the ten-year period preceding the January 1 immediately preceding such report, and no later than January 31, 2030 and every five years thereafter, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the five-year period preceding the January 1 immediately preceding each such report. Each such report shall include, but need not be limited to, the following information for each calendar year of such ten-year period or five-year period:~~

~~1. the number of covered actions filed during such calendar year;~~

~~2. the number of covered actions filed during such calendar year that remain unresolved as of January 1 of the year the report is submitted; and~~

1 ~~3. the number of covered actions filed during such calendar year that~~
2 ~~have been resolved as of January 1 of the year the report is submitted,~~
3 ~~disaggregated by manner of resolution.]~~

4 § 4. This act shall take effect immediately.