

STATE OF NEW YORK

8021

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

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

AN ACT to amend the executive law, in relation to prohibiting certain officers of state law enforcement agencies from having certain offensive or inappropriate tattoos

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

1 Section 1. The executive law is amended by adding a new section 837-z
2 to read as follows:

3 § 837-z. Tattoo policies; law enforcement agencies. 1. For the
4 purposes of this section, the following terms shall have the following
5 meanings:

6 (a) "Extremist tattoo" shall mean any tattoo that depicts, describes,
7 symbolizes or refers to extremist philosophies, ideologies, or activ-
8 ities, including, but not limited to any depiction, description, symbol
9 or reference that:

10 (i) is inspired by, or associated with, a designated foreign terrorist
11 organization or domestic terrorist or violent domestic extremist organ-
12 ization or group identified or designated as such by the United States
13 department of justice or any other organization or group or that advo-
14 cates intolerance of, or discrimination against, any race, color,
15 national origin, ancestry, gender, gender identity or expression, reli-
16 gion, religious practice, or sexual orientation;

17 (ii) encourages, promotes, or advocates the commission of a hate crime
18 as defined in section 485.05 of the penal law against any group or
19 groups of individuals;

20 (iii) encourages, promotes or advocates discrimination or intolerance
21 against any individual or group based on race, color, national origin,
22 ancestry, gender, gender identity or expression, religion, religious
23 practice, or sexual orientation or any other status protected by federal
24 law or the laws of this state;

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

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1 (iv) encourages, promotes or advocates for violence or other unlawful
2 means of depriving or violating the rights guaranteed to an individual
3 under the United States Constitution, the state constitution, or any
4 other applicable federal or state law on the basis of race, color,
5 national origin, ancestry, gender, gender identity or expression, reli-
6 gion, religious practice, or sexual orientation or any other status
7 protected by federal law or the laws of this state; or

8 (v) any other symbol, description, depiction or reference designated
9 as such by the commissioner in coordination with the commissioner of the
10 division of human rights and in consultation with any other appropriate
11 public or private agency, including any federal or state law enforcement
12 agency.

13 (b) "Tattoo" shall mean a mark on the body of a person made with inde-
14 libile ink or pigments injected beneath the outer layer of the skin that
15 is permanent and difficult to reverse or remove in terms of financial
16 cost, discomfort, and effectiveness of removal techniques.

17 (c) "Sleeve tattoo" means a large tattoo, or a collection of smaller
18 tattoos, that covers most or all of an individual's arm, usually from
19 shoulder to wrist.

20 (d) "Indecent tattoo" shall mean a tattoo that is otherwise grossly
21 offensive to modesty, decency, propriety, or professionalism, including,
22 for the purposes of illustration and not limitation, depictions of sexu-
23 ally suggestive or explicit images, depictions of obscene material with-
24 in the meaning of section 235.00 of the penal law, or any other
25 depiction, description or reference that violates a reasonable person's
26 standard of decency or morality.

27 (e) "Sexist tattoo" shall mean a tattoo that advocates a philosophy
28 that degrades or demeans a person based on sex or gender.

29 (f) "Racist tattoo" shall mean a tattoo that advocates a philosophy
30 that degrades or demeans a person based on race, color, ethnicity, or
31 national origin.

32 (g) "State agency" shall mean any department, division, board, bureau,
33 commission, office, agency, authority or public corporation of the
34 state.

35 (h) "State law enforcement agency" shall mean the division of state
36 police, the department of corrections and community supervision, the
37 division of law enforcement in the department of environmental conserva-
38 tion, the financial frauds and consumer protection unit of the state
39 department of financial services, the office of professional medical
40 conduct of the state department of health for the purposes of section
41 two hundred thirty of the public health law, the child protective
42 services unit of a local social services district when conducting an
43 investigation pursuant to subdivision six of section four hundred twen-
44 ty-four of the social services law, the office of Medicaid inspector
45 general, and any other state agency as defined in paragraph (g) of this
46 section or state authority as defined in section two of the public
47 authorities law that employs individuals designated as police officers
48 pursuant to subdivision thirty-four of section 1.20 of the criminal
49 procedure law, but shall not include any police officer or peace officer
50 employed by any municipality as defined in section eight hundred thir-
51 ty-five of this article or any other local agency or local authority.

52 2. (a) The commissioner, the superintendent of the division of the
53 state police, the commissioner of the department of corrections and
54 community supervision, and the person in charge of every state law
55 enforcement agency as defined in paragraph (h) of subdivision one of
56 this section shall adopt and implement a tattoo policy for all members

1 of such law enforcement agency who are designated as police officers
2 pursuant to section 1.20 of the criminal procedure law and all appli-
3 cants for employment as police officers with such agency.

4 (b) Each policy established pursuant to paragraph (a) of this subdivi-
5 sion shall establish guidelines that permit appropriate tattoos and
6 prohibit inappropriate or offensive tattoos for applicants to and
7 members of such state law enforcement agencies in accordance with the
8 provisions of this section. Except as provided in subdivision three of
9 this section, such policy shall, at minimum, allow police officers and
10 applicants for employment as police officers within such agency to have
11 sleeve tattoos and no more than one ring tattoo on each hand below the
12 joint of the bottom segment (portion closest to the palm) of the finger.

13 (c) Nothing in this section shall limit the authority of a state law
14 enforcement agency to establish rules prohibiting any tattoo that is not
15 explicitly authorized by paragraph (b) of this subdivision.

16 3. (a) Notwithstanding any contrary provision of law, every tattoo
17 policy adopted pursuant to this section shall prohibit and no such poli-
18 cy shall authorize any of the following tattoos:

19 (i) indecent tattoos;
20 (ii) sexist tattoos;
21 (iii) racist tattoos;
22 (iv) gang affiliated tattoos;
23 (v) extremist tattoos; or
24 (vi) any other tattoo that disparages any race, color, national
25 origin, ancestry, gender, gender identity or expression, religion, reli-
26 gious practice, or sexual orientation.

27 (b) Beginning on the effective date of this section and thereafter, no
28 person who has any tattoo described in paragraph (a) of this subdivision
29 shall be eligible for provisional or permanent appointment as a police
30 officer in any state law enforcement agency.

31 4. No state law enforcement agency shall be authorized to establish or
32 permit an exception for any tattoo prohibited by subdivision three of
33 this section unless such exception shall have been approved by the
34 commissioner in accordance with rules and regulations promulgated for
35 such purpose.

36 § 2. This act shall take effect on the sixtieth day after it shall
37 have become a law. Effective immediately, the addition, amendment and/or
38 repeal of any rule or regulation necessary for the implementation of
39 this act on its effective date are authorized to be made and completed
40 on or before such effective date.