**§ 319. Definitions.** For the purposes of this article, the following terms shall have the following meanings:

1. "State entity" means any agency under the executive authority of the governor; any agency for which the governor appoints the commissioner or highest ranking employee; any public benefit corporation, public authority, board, or commission for which the governor appoints the chief executive or a majority of the board members, except for the port authority of New York and New Jersey; any division, department, or office regulated under this chapter; the state education department; any college, university, or postsecondary educational institution within the state university of New York, city university of New York, and its affiliate senior and community colleges; all offices defined in article one of the public officers law; the department of civil service or any of its civil divisions as defined in article one of the civil service law; and any contractor or subcontractor while performing services on behalf of the state.

2. "State employee" means any individual employed by any agency under the executive authority of the governor; any agency for which the governor appoints the commissioner or highest ranking employee; any public benefit corporation, public authority, board, or commission for which the governor appoints the chief executive or a majority of the board members, except for the port authority of New York and New Jersey; any division, department, or office regulated under this chapter; the state education department; any college, university, or postsecondary educational institution within the state university of New York, city university of New York, and its affiliate senior and community colleges; all offices defined in article one of the public officers law; the department of civil service or any of its civil divisions as defined in article one of the civil service law; or any contractor or subcontractor while performing services on behalf of the state; provided, however, this definition shall not include:

(a) any individual employed as a police officer as that term is defined in subdivision thirty-four of section 1.20 of the criminal procedure law;

(b) any individual employed as a peace officer as that term is defined

in section 2.10 of the criminal procedure law; or

(c) any civilian employee of a state law enforcement agency.

3. "Immigration authority" means an agency that primarily enforces immigration law including, but not limited to, United States Immigration and Customs Enforcement or United States Customs and Border Protection, and any successor agencies having similar duties; or a federal agency making a request or taking an enforcement action pursuant to the civil enforcement provisions of the federal Immigration and Nationality Act.

4. "Immigration enforcement" means the enforcement of any civil provision of the federal Immigration and Nationality Act for the purpose of determining a person's lawful presence or status in the United States, or for the purpose of apprehending, detaining, transferring, or removing a person solely for civil immigration purposes because of such person's immigration status.

5. "Immigration detainer" means any document, form, or other communication requesting or directing that a state entity or state employee detain or maintain custody of an individual, for any period of time, for pickup by or transfer to immigration authorities.

6. "Civil immigration warrant" means any warrant for a violation of civil immigration law that is not issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631.

7. "State law enforcement agency" means the New York state police, the department of corrections and community supervision, and the department of law.

8. "Civilian employee of a state law enforcement agency" means any person, other than a police officer or peace officer, employed by a state law enforcement agency, whose official duties require such person to collect, analyze, share, or present evidence and/or intelligence, or to supervise such activities or persons.