

PROGRAM BILL #18

Legislative Bill Drafting Commission
12020-02-6

S. Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

EXECLA
(Enacts the "Local Cops, Local
Crimes Act")

Exec. Local Cops, Local Crimes

AN ACT

to amend the executive law, in
relation to enacting the "Local
Cops, Local Crimes Act"; and provid-
ing for the repeal of such
provisions upon expiration thereof

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

- s15 Addabbo s46 Fahy s16 Liu s13 Ramos s35 Stewart-
s43 Ashby s34 Fernandez s04 Martinez s05 Rhoads Cousins
s36 Bailey s60 Gallivan s07 Martins s33 Rivera s22 Sutton
s63 Baskin s12 Gianaris s02 Mattera s39 Rolison s44 Tedisco
s57 Borrello s59 Gonzalez s48 May s50 Ryan, C. s49 Walczyk
s25 Brisport s26 Gouardes s37 Mayer s18 Salazar s52 Webb
s55 Brouk s53 Griffo s03 Murray s10 Sanders s38 Weber
s06 Bynoe s40 Harckham s20 Myrie s23 Scarcella- s08 Weik
s09 Canzoneri- s54 Helming s51 Oberacker Spanton s47
Fitzpatrick s41 Hinchey s58 O'Mara s32 Sepulveda s61
s17 Chan s31 Jackson s62 Ortt s29 Serrano
s30 Cleare s27 Kavanagh s01 Palumbo s42 Skoufis
s14 Comrie s28 Krueger s21 Parker s11 Stavisky
s56 Cooney s24 Lanza s19 Persaud s45 Stec

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

- a078 Alvarez a143 Chludzinski a083 Heastie a016 Norber a114 Simpson
a031 Anderson a136 Clark a028 Hevesi a045 Novakhov a094 Slater
a121 Angelino a047 Colton a035 Hooks a011 O'Pharrow a005 Smith
a133 Bailey a140 Conrad a128 Hunter a091 Otis a118 Smullen
a120 Barclay a032 Cook a029 Hyndman a132 Palmesano a022 Solages
a106 Barrett a039 Cruz a079 Jackson a088 Paulin a110 Steck
a105 Beephan a043 Cunningham a104 Jacobson a141 Peoples- a010 Stern
a107 Bendett a077 Dais a134 Jensen Stokes a127 Stirpe
a082 Benedetto a053 Davila a004 Kassay a023 Pheffer a102 Tague
a027 Berger a072 De Los Santos a100 Kay Amato a064 Tannousis
a042 Bichotte a003 DeStefano a125 Kelles a063 Pirozolo a086 Tapia
Hermelyn a054 Dilan a040 Kim a089 Pretlow a071 Taylor
a117 Blankenbush a081 Dinowitz a069 Lasher a019 Ra a085 Torres
a015 Blumencranz a147 DiPietro a013 Lavine a030 Raga a037 Valdez
a144 Bologna a009 Durso a065 Lee a038 Rajkumar a033 Vanel
a073 Bores a099 Eachus a126 Lemondes a006 Ramos a055 Walker
a098 Brabenc a048 Eichenstein a095 Levenberg a062 Reilly a112 Walsh
a026 Braunstein a061 Fall a060 Lucas a087 Reyes a024 Weprin
a138 Bronson a008 Fitzpatrick a135 Lunsford a149 Rivera a097 Wieder
a046 Brook-Krasny a057 Forrest a123 Lupardo a109 Romero a059 Williams
a020 Brown, E. a124 Friend a129 Magnarelli a067 Rosenthal a113 Woerner
a012 Brown, K. a050 Gallagher a101 Maher a025 Rozic a070 Wright
a093 Burdick a131 Gallahan a130 Manktelow a111 Santabarbara a041 Yeger
a142 Burke a007 Gandolfo a108 McDonald a090 Sayegh a080 Zaccaro
a018 Burroughs a068 Gibbs a014 McDonough a001 Schiavoni a056 Zinerman
a119 Buttenschon a002 Giglio a146 McMahan a076 Seawright a036
a096 Carroll, P. a066 Glick a137 Meeks a148 Sempolinski a074
a044 Carroll, R. a034 Gonzalez- a017 Mikulin a084 Septimo
a115 Cashman Rojas a122 Miller a092 Shimsky
a058 Chandler- a116 Gray a051 Mitaynes a103 Shrestha
Waterman a021 Griffin a150 Molitor a052 Simon
a049 Chang a139 Hawley a145 Morinello a075 Simone

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 1
signed copy of bill and 1 copy of memorandum in support (single house);
or 2 signed copies of bill and 2 copies of memorandum in support (uni-bill).

1 Section 1. This act shall be known and may be cited as the "Local
2 Cops, Local Crimes Act".

3 § 2. The executive law is amended by adding a new section 170-k to
4 read as follows:

5 § 170-k. Local cops, local crimes act. 1. For purposes of this
6 section, the following definitions shall apply:

7 (a) "Law enforcement agency" shall mean the New York state police and
8 any law enforcement agency or department of any municipality, any police
9 district, or any agency, department, commission, authority or public
10 benefit corporation of the state of New York employing a police officer
11 or police officers as that term is defined in subdivision thirty-four of
12 section 1.20 of the criminal procedure law.

13 (b) "Local government" shall mean any municipal corporation and
14 governing board in the state of New York.

15 (c) "Municipal corporation" shall have the same meaning as such term
16 is defined in section two of the general municipal law.

17 (d) "Governing board" shall have the same meaning as such term is
18 defined in section two of the general municipal law.

19 (e) "Correctional facility" shall have the same meaning as such term
20 is defined in subdivision four of section two of the correction law.

21 (f) "Local correctional facility" shall have the same meaning as such
22 term is defined in subdivision sixteen of section two of the correction
23 law.

24 2. No local government, law enforcement agency, correctional facility,
25 or local correctional facility may enter into, modify, renew, remain in,
26 or extend:

27 (a) any agreement pursuant to section 287(g) of the Immigration and
28 Nationality Act codified at 8 U.S.C. § 1357(g), including, but not

1 limited to, an agreement under which an officer or employee may perform
2 a function of an immigration officer; or

3 (b) any contract, intergovernmental service agreement, or any other
4 agreement to house or detain individuals for federal civil immigration
5 violations, including but not limited to agreements entered into pursu-
6 ant to 8 U.S.C. § 1103(a) or § 1231(g).

7 3. Nothing in this section shall be intended to limit a local govern-
8 ment, law enforcement agency, correctional facility, or local correc-
9 tional facility from enforcing any valid state or federal court-issued
10 warrants or orders, or any other actions as required by law.

11 4. The attorney general may apply for an order to the supreme court of
12 the state of New York to obtain appropriate relief with respect to any
13 violation of this section.

14 5. Any agreement described in subdivision two of this section shall be
15 deemed not consistent with state law and any such existing agreement
16 shall be void and unenforceable.

17 § 3. If any clause, sentence, paragraph, subdivision, section or part
18 of this act shall be adjudged by any court of competent jurisdiction to
19 be invalid, such judgment shall not affect, impair, or invalidate the
20 remainder thereof, but shall be confined in its operation to the clause,
21 sentence, paragraph, subdivision, section or part thereof directly
22 involved in the controversy in which such judgment shall have been
23 rendered. It is hereby declared to be the intent of the legislature that
24 this act would have been enacted even if such invalid provisions had not
25 been included herein.

26 § 4. This act shall take effect immediately and shall expire and be
27 deemed repealed July 1, 2029; provided, however, that subdivision 5 of

1 section 170-k of the executive law, as added by section two of this act,
2 shall take effect on the thirtieth day after it shall have become a law.