

1412

2011-2012 Regular Sessions

I N   S E N A T E

January 7, 2011

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Introduced by Sen. SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to training expenses for police and peace officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 72-c of the general municipal law, as amended by  
2 chapter 229 of the laws of 1992, is amended to read as follows:  
3     S 72-c. Expenses of members of the police department and other peace  
4 officers in attending police training schools. The board or body of a  
5 county, city, town or village authorized to appropriate and to raise  
6 money by taxation and to make payments therefrom, is hereby authorized,  
7 in its discretion, to appropriate and to raise money by taxation and to  
8 make payments from such moneys, for the annual expenses of the members  
9 of the police department of such municipal corporation in attending a  
10 [police] training school, as provided by the regulations of the depart-  
11 ment, either within such municipal corporation or elsewhere within the  
12 state; and for the payment of reasonable expenses of such members and  
13 other police officers or peace officers of the municipality while going  
14 to, attending, and returning from any training school conducted by or  
15 under the auspices of the federal bureau of investigation, whether with-  
16 in or without the state. Notwithstanding any inconsistent provision of  
17 any general, special or local law to the contrary, whenever a member of  
18 the police department of a municipal corporation, having a population of  
19 ten thousand or less, has attended a [police] training school, the  
20 expense of which was borne by such municipal corporation, terminates  
21 employment with such municipal corporation and commences employment with  
22 any other [municipal corporation or employer county sheriff] LAW  
23 ENFORCEMENT AGENCY WITHIN NEW YORK STATE, such employer [municipal  
24 corporation or employer county sheriff] shall reimburse the [prior  
25 employer] municipal corporation, having a population of ten thousand or

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

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1 less, THAT FORMERLY EMPLOYED THE POLICE OFFICER OR PEACE OFFICER for  
2 such expenses, including, salary, tuition, enrollment fees, books, and  
3 the cost of transportation to and from training school, as follows: on  
4 a pro rata basis, to be calculated by subtracting from the number of  
5 days in the three years following the date of the member's graduation  
6 from [police] training school, the number of days between the date of  
7 the member's graduation from training school and the date of the termi-  
8 nation of employment with the municipal corporation which paid for such  
9 training, and multiplying the difference by the per diem cost of such  
10 expenses, to be calculated by dividing the total cost of such expenses  
11 by the number of days in the three years following the date of the  
12 member's graduation, if such change in employment occurs within three  
13 years of such member's graduation from [police] training school.  
14 Provided, however, [the employer municipal corporation or employer coun-  
15 ty sheriff] A LAW ENFORCEMENT AGENCY shall not be required to reimburse  
16 the prior employer [municipal corporation] for that portion of such  
17 expenses which [is] MAY BE reimbursable by the member to [the] HIS OR  
18 HER prior employer [municipal corporation] under the terms of an employ-  
19 ment or labor agreement. [Provided, further, however, the employer  
20 municipal corporation or employer county sheriff shall not be required  
21 to reimburse the prior employer municipal corporation] NO REIMBURSEMENT  
22 SHALL BE REQUIRED for such basic training if such change in employment  
23 occurs after the expiration of the validity of the member's certificate  
24 attesting to the satisfactory completion of an approved [municipal  
25 police] basic training program.

26 S 2. This act shall take effect immediately.