

STATE OF NEW YORK

5178

2019-2020 Regular Sessions

IN ASSEMBLY

February 7, 2019

Introduced by M. of A. BLAKE -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to prohibiting police officers from carrying or using a firearm during any phase of the officer's official duties unless the officer has satisfactorily completed a course of training that meets or exceeds the minimum standards established by the municipal police training council

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

1 Section 1. Paragraphs (b) and (c) of subdivision 1 of section 209-q of
2 the general municipal law are relettered paragraphs (c) and (d) and a
3 new paragraph (b) is added to read as follows:

4 (b) No employer shall allow any police officer it employs to carry or
5 use a firearm during any phase of the officer's official duties, which
6 constitutes on-duty employment, unless the officer has satisfactorily
7 completed a course of training that meets or exceeds the minimum stand-
8 ards established by the municipal police training council in the use of
9 deadly physical force and firearms, and annually receives instruction in
10 the use of deadly physical force and firearms that meets or exceeds the
11 minimum standards established by the municipal police training council.
12 All employers of police officers shall conduct, or provide through
13 another organization, such training required by this subdivision with
14 sufficient frequency to ensure there is no impact on a police officer's
15 on-duty employment due to lack of available training. A police officer
16 shall not be transferred from his or her precinct, command, assignment,
17 post, squad, or tour of duty as a result of such employer's failure to
18 provide the training required under this subdivision. In addition, such
19 employer's failure to provide the training required under this subdivi-
20 sion shall not impair a police officer's ability to carry a firearm
21 while off-duty.

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

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1 § 2. This act shall take effect on the first of January next succeed-
2 ing the date on which it shall have become a law.