

STATE OF NEW YORK

8623

2019-2020 Regular Sessions

IN ASSEMBLY

October 2, 2019

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

AN ACT to amend the general municipal law, in relation to the calculation of expenses of members of the police department and other peace officers in attending police training schools

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 section 1 of subpart C of part C of chapter 97 of the laws of 2011, is
3 amended to read as follows:

4 § 72-c. Expenses of members of the police department and other peace
5 officers in attending police training schools. The board or body of a
6 county, city, town or village authorized to appropriate and to raise
7 money by taxation and to make payments therefrom, is hereby authorized,
8 in its discretion, to appropriate and to raise money by taxation and to
9 make payments from such moneys, for the annual expenses of the members
10 of the police department of such municipal corporation in attending a
11 police training school, as provided by the regulations of the depart-
12 ment, either within such municipal corporation or elsewhere within the
13 state; and for the payment of reasonable expenses of such members and
14 other police officers or peace officers of the municipality while going
15 to, attending, and returning from any training school conducted by or
16 under the auspices of the federal bureau of investigation, whether with-
17 in or without the state. Notwithstanding any inconsistent provision of
18 any general, special or local law to the contrary, whenever a member of
19 the police department of a municipal corporation, except a police
20 department of a municipal corporation having a population of one million
21 or more, has attended a police training school, the expense of which was
22 borne by such municipal corporation, terminates employment with such
23 municipal corporation and commences employment with any other municipal
24 corporation, except a police department of a municipal corporation

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

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1 having a population of one million or more, or employer county sheriff,
2 such employer municipal corporation or employer county sheriff shall
3 reimburse the prior employer municipal corporation, except a police
4 department of a municipal corporation having a population of one million
5 or more, for such expenses, including, salary, tuition, enrollment fees,
6 books, and the cost of transportation to and from training school, as
7 follows: on a pro rata basis, to be calculated by subtracting from the
8 number of days in the three years following the date of the member's
9 graduation from police training school, the number of days between the
10 date of the member's graduation from training school and the date of the
11 termination of employment with the municipal corporation which paid for
12 such training, and multiplying the difference by the per diem cost of
13 such expenses, to be calculated by dividing the total cost of such
14 expenses by the number of days in the three years following the date of
15 the member's graduation, if such change in employment occurs within
16 three years of such member's graduation from police training school.
17 Provided, however, the employer municipal corporation or employer county
18 sheriff shall not be required to reimburse the prior employer municipal
19 corporation for that portion of such expenses which is reimbursable by
20 the member to the prior employer municipal corporation under the terms
21 of an employment or labor agreement. Provided, further, however, the
22 employer municipal corporation or employer county sheriff shall not be
23 required to reimburse the prior employer municipal corporation for such
24 basic training if such change in employment occurs after the expiration
25 of the validity of the member's certificate attesting to the satisfac-
26 tory completion of an approved municipal police basic training program.
27 § 2. This act shall take effect immediately.