S T A T E O F N E W Y O R K

3835

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law and the general municipal law, in relation to designating investigators of the temporary state commission of investigation as police officers; and to repeal subdivision 3 of section 2.10 of the criminal procedure law relating to designation of investigators of state commission of investigation as peace officers

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

Section 1. Subdivision 34 of section 1.20 of the criminal procedure law is amended by adding a new paragraph (w) to read as follows:

(W) INVESTIGATORS OF THE OFFICE OF TEMPORARY STATE COMMISSION OF INVESTIGATION.

S 2. Subdivision 3 of section 2.10 of the criminal procedure law is REPEALED.

S 3. Paragraph a of subdivision 2 of section 209-q of the general municipal law, as amended by chapter 435 of the laws of 1997, is amended to read as follows:

a. The term "police officer", as used in this section, shall mean AN INVESTIGATOR OF THE TEMPORARY STATE COMMISSION OF INVESTIGATION, a member of a police force or other organization of a municipality or a detective or rackets investigator employed by the office of the district attorney in any county located in a city of one million or more persons who is responsible for the prevention or detection of crime and the enforcement of the general criminal laws of the state, but shall not include any person serving as such solely by virtue of his OR HER occupying any other office or position, nor shall such term include a sheriff or under-sheriff, the sheriff or deputy sheriff of the city of New York, commissioner of police, deputy or assistant commissioner of police, chief of police, deputy or assistant chief of police or any

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

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person having an equivalent title who is appointed or employed by a county, city, town, village or police district to exercise equivalent supervisory authority.

S 4. This act shall take effect immediately and shall apply to all investigators of the temporary state commission of investigation appointed after the effective date of this act and, notwithstanding any inconsistent provision of law, to such investigators appointed prior to such effective date provided they have satisfactorily completed an approved municipal police basic training program pursuant to section 209-q of the general municipal law.