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

737

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. GUNTHER, COOK, DESTITO, ORTIZ, JOHN, SCHROEDER, WALKER, ALFANO, BARRA -- Multi-Sponsored by -- M. of A. CALHOUN, ERRIGO, JAFFEE, KOON, LUPARDO, MARKEY, McENENY, PEOPLES, PHEFFER, REILLY, SAYWARD, TOBACCO, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to certain persons designated as peace officers

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

Section 1. Subdivision 52 of section 2.10 of the criminal procedure law, as added by chapter 969 of the laws of 1983, is amended to read as follows:

52. Security hospital treatment assistants[, as so designated by the commissioner of] IN the office of mental health while [transporting persons convicted of a crime to court, to other facilities within the jurisdiction of the office of mental health, or to any state or local correctional facility] PERFORMING DUTIES IN OR ARISING OUT OF THE COURSE OF THEIR EMPLOYMENT; provided, however, that nothing in this subdivision shall be deemed to authorize such employee to carry, possess, repair or dispose of a firearm unless the appropriate license therefor has been issued pursuant to section 400.00 of THE penal law.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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