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

7643

2009-2010 Regular Sessions

I N A S S E M B L Y

April 17, 2009

Introduced by M. of A. P. RIVERA, PERRY, GOTTFRIED -- Multi-Sponsored by -- M. of A. COLTON, GREENE, ORTIZ -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law and the alcoholic beverage control law, in relation to designating investigators appointed by the state liquor authority as police officers; and to repeal subdivision 36 of section 2.10 of the criminal procedure law relating to designating such investigators 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) AN INVESTIGATOR APPOINTED BY THE STATE LIQUOR AUTHORITY PURSUANT TO SECTION FIFTEEN OF THE ALCOHOLIC BEVERAGE CONTROL LAW.

S 2. Subdivision 36 of section 2.10 of the criminal procedure law is REPEALED.

S 3. The opening paragraph of section 15 of the alcoholic beverage control law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

The authority shall have power to appoint any necessary deputies, counsels, assistants, investigators, and other employees within the limits provided by appropriation. Investigators so employed by the [Authority] AUTHORITY shall be [deemed to be peace] POLICE officers for the purpose of enforcing the provisions of [the alcoholic beverage control law] THIS CHAPTER or [judgements] JUDGMENTS or orders obtained for violation thereof[, with all the powers set forth in section 2.20 of the criminal procedure law]. The counsel, secretary, chief executive officer, assistant chief executive officers, confidential secretaries to commissioners and deputies shall be in the exempt class of the civil service. The other assistants, investigators and employees of the authority shall all be in the competitive class of the civil service.

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

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The authority shall continue to have its principal office in the city of Albany, and may maintain a branch office in the cities of New York and Buffalo and such other places as it may deem necessary.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.