

3220

2009-2010 Regular Sessions

I N   S E N A T E

March 12, 2009

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Introduced by Sens. MAZIARZ, ALESİ, BONACIC, DeFRANCISCO, GOLDEN, GRIFO, MORAHAN, RANZENHOFER, SALAND, SEWARD, VOLKER, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to mutual aid agreements between counties for the provision of services by coroners and medical examiners

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

1     Section 1. The county law is amended by adding a new section 672 to  
2     read as follows:  
3     S 672. MUTUAL AID AGREEMENTS FOR CORONERS' SERVICES. 1. TWO OR MORE  
4     COUNTIES ARE AUTHORIZED TO ENTER INTO WRITTEN MUTUAL AID AGREEMENTS FOR  
5     THE PROVISION OF SERVICES PROVIDED BY THE COUNTY CORONER'S OFFICE OR  
6     OFFICE OF THE MEDICAL EXAMINER IN SUCH COUNTIES. EACH COUNTY SHALL BE  
7     LIABLE FOR ACTS OR OMISSIONS OF ITS EMPLOYEES OR AGENTS WHEN ACTING  
8     PURSUANT TO SUCH AN AGREEMENT IN THE SAME MANNER AND TO THE SAME EXTENT  
9     AS IF SUCH ACTS OR OMISSIONS OCCURRED WITHIN THE COUNTY; AND SUCH  
10    EMPLOYEES OR AGENTS SHALL HAVE IMMUNITIES AND PRIVILEGES FOR THEIR ACTS  
11    OR OMISSIONS WHEN ACTING PURSUANT TO SUCH AN AGREEMENT IN THE SAME  
12    MANNER AND TO THE SAME EXTENT AS IF SUCH ACTS OR OMISSIONS OCCURRED  
13    WITHIN THE COUNTY; EXCEPT THAT SUCH A CONTRACT MAY APPORTION LIABILITY  
14    OTHERWISE BETWEEN OR AMONG THE COUNTIES.  
15    2. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER THE LIABILITY  
16    OF ANY COUNTY THAT ENTERS INTO A MUTUAL AID AGREEMENT PURSUANT TO THIS  
17    SECTION TO A THIRD PARTY CLAIMANT FOR ANY CAUSE OF ACTION THAT ARISES  
18    OUT OF SUCH AGREEMENT. THE PROPER VENUE FOR ANY SUCH CAUSE OF ACTION  
19    SHALL BE IN ANY OF THE COUNTIES INVOLVED IN SUCH CAUSE OF ACTION.  
20    S 2. This act shall take effect immediately.

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

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