

3343

2009-2010 Regular Sessions

I N   S E N A T E

March 17, 2009

---

Introduced by Sen. DUANE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to providing funds for certain police services

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

1     Section 1. Section 128 of the alcoholic beverage control law is  
2     amended by adding a new subdivision 3 to read as follows:  
3     3. THIS SECTION DOES NOT PROHIBIT ANY POLICE COMMISSIONER, POLICE  
4     INSPECTOR, CAPTAIN, SERGEANT, ROUNDSMAN, PATROLMAN OR OTHER POLICE OFFI-  
5     CIAL OR SUBORDINATE OF ANY POLICE DEPARTMENT IN THE STATE FROM PROVIDING  
6     POLICE SERVICES, INCLUDING A PAID DETAIL ARRANGEMENT, FOR A PARTICULAR  
7     AREA WHILE ON DUTY; PROVIDED THAT:  
8     (A) ANY FUNDS SUPPORTING THAT ACTIVITY THAT COME DIRECTLY OR INDIRECT-  
9     LY FROM A LICENSEE ARE PROVIDED THROUGH AN ENTITY REPRESENTING MORE THAN  
10    ONE LICENSEE AND ARE PAID BY THE ENTITY TO THE POLICE DEPARTMENT OR THE  
11    PUBLIC ENTITY OF WHICH THE DEPARTMENT IS A PART;  
12    (B) THE POLICE PERSONNEL ARE AT ALL TIMES UNDER THE COMMAND OF THE  
13    POLICE DEPARTMENT AND PERFORM LAW ENFORCEMENT DUTIES; AND  
14    (C) THE ARRANGEMENT IS APPROVED BY THE POLICE DEPARTMENT OR PUBLIC  
15    ENTITY OF WHICH THE DEPARTMENT IS A PART AND IS OTHERWISE CONSISTENT  
16    WITH APPLICABLE STATE OR LOCAL LAW.  
17    S 2. This act shall take effect immediately.

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

LBD00782-01-9