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

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:

Section 1. Section 128 of the alcoholic beverage control law is amended by adding a new subdivision 3 to read as follows:

3. THIS SECTION DOES NOT PROHIBIT ANY POLICE COMMISSIONER, POLICE INSPECTOR, CAPTAIN, SERGEANT, ROUNDSMAN, PATROLMAN OR OTHER POLICE OFFICIAL OR SUBORDINATE OF ANY POLICE DEPARTMENT IN THE STATE FROM PROVIDING POLICE SERVICES, INCLUDING A PAID DETAIL ARRANGEMENT, FOR A PARTICULAR AREA WHILE ON DUTY; PROVIDED THAT:

(A) ANY FUNDS SUPPORTING THAT ACTIVITY THAT COME DIRECTLY OR INDIRECTLY FROM A LICENSEE ARE PROVIDED THROUGH AN ENTITY REPRESENTING MORE THAN ONE LICENSEE AND ARE PAID BY THE ENTITY TO THE POLICE DEPARTMENT OR THE PUBLIC ENTITY OF WHICH THE DEPARTMENT IS A PART;

(B) THE POLICE PERSONNEL ARE AT ALL TIMES UNDER THE COMMAND OF THE POLICE DEPARTMENT AND PERFORM LAW ENFORCEMENT DUTIES; AND

(C) THE ARRANGEMENT IS APPROVED BY THE POLICE DEPARTMENT OR PUBLIC ENTITY OF WHICH THE DEPARTMENT IS A PART AND IS OTHERWISE CONSISTENT WITH APPLICABLE STATE OR LOCAL LAW.

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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