

1216

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. DESTITO, BARRA -- Multi-Sponsored by -- M. of A. ALFANO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the military law, in relation to authorizing additional paid leave for certain police and peace officers who are absent on military duty

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

1     Section 1. Subdivision 5 of section 242 of the military law, as  
2 amended by chapter 161 of the laws of 1984, is amended to read as  
3 follows:  
4     5. Pay for military duty. (A) Every public officer or employee, EXCEPT  
5 POLICE OFFICERS DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF  
6 THE CRIMINAL PROCEDURE LAW WHO ARE EMPLOYED BY THE STATE AND PEACE OFFI-  
7 CERS DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW WHO ARE  
8 EMPLOYED BY THE STATE WHO SHALL BE SUBJECT TO THE PROVISIONS OF PARA-  
9 GRAPH (B) OF THIS SUBDIVISION, shall be paid his OR HER salary or other  
10 compensation as such public officer or employee for any and all periods  
11 of absence while engaged in the performance of ordered military duty,  
12 and while going to and returning from such duty, not exceeding a total  
13 of thirty days or twenty-two working days, whichever is greater, in any  
14 one calendar year and not exceeding thirty days or twenty-two working  
15 days, whichever is greater, in any one continuous period of such  
16 absence.  
17     (B) EVERY POLICE OFFICER DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION  
18 1.20 OF THE CRIMINAL PROCEDURE LAW WHO IS EMPLOYED BY THE STATE AND  
19 EVERY PEACE OFFICER DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE  
20 LAW WHO IS EMPLOYED BY THE STATE SHALL BE PAID HIS OR HER SALARY FOR ANY  
21 AND ALL PERIODS OF ABSENCE WHILE ENGAGED IN THE PERFORMANCE OF ORDERED  
22 MILITARY DUTY, AND WHILE GOING TO AND RETURNING FROM SUCH DUTY, NOT

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

LBD03788-01-9

1 EXCEEDING A TOTAL OF FORTY DAYS OR THIRTY-TWO WORKING DAYS, WHICHEVER IS  
2 GREATER, IN ANY ONE CALENDAR YEAR AND NOT EXCEEDING FORTY DAYS OR THIR-  
3 TY-TWO WORKING DAYS, WHICHEVER IS GREATER, IN ANY ONE CONTINUOUS PERIOD  
4 OF SUCH ABSENCE.

5 S 2. This act shall take effect immediately.