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

1331

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. RABBITT, CALHOUN, FINCH -- Multi-Sponsored by -- M. of A. HYER-SPENCER, REILICH -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to security hospital treatment assistants peace officer status

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

Section 1. Subdivision 52 of section 2.10 of the criminal procedure law, as added by chapter 969 of the laws of 1983, is amended to read as follows:

52. Security hospital treatment assistants[, as so designated by the commissioner of the office of mental health while] WHEN ACTING IN THE PERFORMANCE OF THEIR DUTIES, INCLUDING BUT NOT LIMITED TO THE TRANSPORTING OF PERSONS CHARGED WITH A CRIME AND THE transporting OF persons convicted of a crime to court, to other facilities within the jurisdiction of the office of mental health, or to any state or local correctional facility; provided, however, that nothing in this subdivision shall be deemed to authorize such employee to carry, possess, repair or dispose of a firearm unless the appropriate license therefor has been issued pursuant to section 400.00 of THE penal 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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