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

5258

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. GIANARIS -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to obtaining the fingerprints of applicants who apply for licenses or authorizations from the taxi and limousine commission for the purpose of determining the criminal history of such applicants

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

Section 1. Subparagraph 4 of paragraph (b) of subdivision 1 of section 837-m of the executive law, as added by chapter 584 of the laws of 1997, is amended to read as follows:

(4) a license, LICENSE RENEWAL, AUTHORIZATION, AUTHORIZATION RENEWAL, certificate of approval, class A photo identification card or employment, pursuant to the following provisions of the administrative code of the city of New York which require the submission of fingerprints:

A. Title 16-A: New York City Trade Waste Commission Section 16-508(b);

B. Title 22: Fulton Fish Market Distribution Area and Other Seafood Distribution Areas, Section 22-216(a)[(1)](I) ; [and]

C. Title [20] 20-A: Regulation of Shipboard Gambling, Section 20-954(b)[(1), as added to the administrative code of the city of New York by a nineteen ninety-seven local law of the city of New York.](I); AND

D. SUCH PROVISIONS IN CHAPTER 5 OF TITLE 19 AS REQUIRE THE SUBMISSION OF FINGERPRINTS BY APPLICANTS FOR LICENSES, LICENSE RENEWALS, AUTHORIZATIONS OR AUTHORIZATION RENEWALS.

S 2. Subdivision 2 of section 837-m of the executive law, as added by chapter 584 of the laws of 1997, is amended to read as follows:

2. As a condition of eligibility for such licenses, LICENSE RENEWALS, AUTHORIZATIONS, AUTHORIZATION RENEWALS, certificate of approval, class A photo identification card, contract to provide services, or employment, the department, appointing or issuing agency shall obtain the appli-

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

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cant's fingerprints and submit such fingerprints to the division for purposes of determining the criminal history of the applicant. The department may submit two sets of fingerprints to the division.

S 3. Paragraph (b) of subdivision 5 of section 837-m of the executive law, as added by chapter 584 of the laws of 1997, is amended to read as follows:

(b) Each such applicant shall, in advance, make payment to the division of any reasonable fee required by law which is reasonably related to the cost of conducting the searches authorized by this section. All fingerprints supplied by the applicant shall be returned to the applicant upon termination or denial of the license, LICENSE RENEWAL, AUTHORIZATION, AUTHORIZATION RENEWAL, certificate of approval, class A photo identification card, contract to provide services, or employment in connection with which such fingerprints were obtained.

S 4. This act shall take effect on the sixtieth day after it shall have become a law.