

2241

2009-2010 Regular Sessions

I N S E N A T E

February 13, 2009

Introduced by Sens. VOLKER, RANZENHOFER, WINNER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to qualifications to hold the office of sheriff or undersheriff

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

1 Section 1. The county law is amended by adding a new section 650-a to
2 read as follows:
3 S 650-A. QUALIFICATIONS TO HOLD OFFICE OF SHERIFF OR UNDERSHERIFF.
4 NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, NO PERSON SHALL HOLD THE
5 OFFICE OF SHERIFF OR UNDERSHERIFF UNLESS HE OR SHE MEETS THE FOLLOWING
6 QUALIFICATIONS:
7 1. NO PERSON WITH A CONVICTION FOR A FELONY OR FOR A FRAUD, OFFICIAL
8 MISCONDUCT, PERJURY OR MAKING A FALSE STATEMENT SHALL BE ELIGIBLE TO
9 HOLD THE OFFICE OF SHERIFF OR UNDERSHERIFF. PRIOR TO ASSUMING THE OFFICE
10 OF SHERIFF OR UNDERSHERIFF, A PERSON SHALL BE REQUIRED TO BE FINGER-
11 PRINTED BY AN APPROPRIATE AUTHORITY, AND FINGERPRINTS SHALL BE SUBMITTED
12 TO BOTH THE FEDERAL BUREAU OF INVESTIGATION AND THE DIVISION OF CRIMINAL
13 JUSTICE SERVICES FOR CRIMINAL HISTORY VERIFICATION.
14 2. PRIOR TO ASSUMING THE OFFICE OF SHERIFF, A PERSON MUST HAVE PREVI-
15 OUSLY ATTENDED A BASIC NEW SHERIFF TRAINING COURSE TO BE SPONSORED BY
16 THE NEW YORK STATE SHERIFFS' ASSOCIATION, INC., OR ANY SUCCESSOR ORGAN-
17 IZATION, CONSISTING OF FORTY HOURS OF TRAINING. SUCH TRAINING SHALL BE
18 OFFERED FOLLOWING THE ELECTION OF THE SHERIFF; PROVIDED, HOWEVER, THAT
19 IN THE EVENT OF AN APPOINTMENT TO THE OFFICE OF SHERIFF BY THE GOVERNOR
20 OR A COUNTY JUDGE, SUCH TRAINING SHALL BE OFFERED AND COMPLETED AS SOON
21 AS PRACTICABLE AFTER THE APPOINTMENT.
22 S 2. This act shall take effect on the sixtieth day after it shall
23 have become a law and shall apply to all persons to be elected or
24 appointed to the office of sheriff or undersheriff on or after such
25 effective date.

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

LBD01513-01-9