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

3396

2009-2010 Regular Sessions

I N S E N A T E

March 18, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to permitting certain school and day care providers to exclude from employment certain persons with a felony record involving certain offenses against children, drug sale or possession, use of firearms or violent acts

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

Section 1. Section 753 of the correction law is amended by adding a new subdivision 3 to read as follows:

3. NOTHING IN THIS CHAPTER PROTECTING THE HIRING OF FORMER FELONS SHALL APPLY TO A NURSERY SCHOOL, DAY CARE SERVICE PROVIDER, EARLY CHILDHOOD EDUCATION PROVIDER, OR A PUBLIC OR PRIVATE SCHOOL SERVING GRADES FROM PRE-KINDERGARTEN THROUGH GRADE TWELVE. NOTWITHSTANDING ANY DECISIONS MADE BY THE STATE EDUCATION DEPARTMENT UNDER SECTION THREE HUNDRED FIVE OF THE EDUCATION LAW, REGARDING EMPLOYMENT, TO PROTECT CHILDREN SUCH EMPLOYERS MAY LAWFULLY ESTABLISH A BLANKET POLICY EXCLUDING FROM EMPLOYMENT INVOLVING CONTACT WITH CHILDREN ANY PERSON WITH A FELONY RECORD IN NEW YORK STATE OR ANY OTHER JURISDICTION INVOLVING PEDOPHILIA, SEX OFFENSES, DRUG SALE OR POSSESSION, USE OF FIREARMS, OR INVOLVING ANY VIOLENT ACTS.

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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