

8542

2011-2012 Regular Sessions

I N   A S S E M B L Y

July 20, 2011

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

AN ACT to amend the executive law, in relation to the creation of a  
system of uniform identification cards for police and peace officers

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

1     Section 1. The executive law is amended by adding a new section 718 to  
2     read as follows:  
3     S 718. UNIFORM IDENTIFICATION CARDS FOR POLICE AND PEACE OFFICERS. 1.  
4     THE COMMISSIONER SHALL ESTABLISH AND MAINTAIN A STATEWIDE DATABASE FOR  
5     THE PURPOSE OF CREATING, DISTRIBUTING AND MONITORING UNIFORM IDENTIFICATION  
6     CARDS FOR ALL POLICE AND PEACE OFFICERS IN THE STATE AS SUCH OFFICERS  
7     ARE DEFINED IN SECTIONS 1.20 AND 2.10 OF THE CRIMINAL PROCEDURE  
8     LAW. THE COMMISSIONER, IN CONJUNCTION WITH THE DIVISION OF CRIMINAL  
9     JUSTICE SERVICES, SHALL PROVIDE FOR THE TRANSMISSION OF INFORMATION  
10    CONTAINED IN THE REGISTRIES MAINTAINED PURSUANT TO SECTION EIGHT HUNDRED  
11    FORTY-FIVE OF THIS CHAPTER. THE COMMISSIONER MAY REQUIRE THE TRANSMISSION  
12    OF SUCH INFORMATION AS HE DEEMS NECESSARY TO COMPLY WITH THE  
13    PROVISIONS OF THIS SECTION.  
14    2. THE COMMISSIONER, IN CONJUNCTION WITH THE DIVISION OF CRIMINAL  
15    JUSTICE SERVICES, SHALL DEVELOP AND DISTRIBUTE UNIFORM IDENTIFICATION  
16    CARDS TO ALL POLICE AND PEACE OFFICERS IN THIS STATE WHICH SHALL CONTAIN  
17    ALL THE FOLLOWING INFORMATION:  
18    (A) A PERSONAL IDENTIFICATION NUMBER AND THE PERSON'S BADGE NUMBER, IF  
19    APPLICABLE;  
20    (B) THE INDIVIDUAL'S HEIGHT, WEIGHT, EYE COLOR, SEX AND RACE;  
21    (C) THE TOWN, VILLAGE, CITY, COUNTY, DEPARTMENT, DISTRICT, DIVISION,  
22    AGENCY OR MUNICIPALITY THAT THE PERSON IS A VOLUNTEER WITH OR EMPLOYED  
23    FOR;

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

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1 (D) A DIGITIZED PHOTOGRAPH OF THE PERSON THAT SHALL BE THE PERSON'S  
2 DRIVER'S LICENSE PHOTOGRAPH AND SHALL BE OBTAINED FROM THE DEPARTMENT OF  
3 MOTOR VEHICLES;

4 (E) A DISTINCTIVE MARK OR SYMBOL WHICH DESIGNATES THE PERSON'S SPECIAL  
5 EXPERTISE, TRAINING AND RANK, IF APPLICABLE;

6 (F) THE NEW YORK STATE SEAL;

7 (G) ANY OTHER INFORMATION THE DIRECTOR DEEMS APPROPRIATE.

8 3. THE COMMISSIONER SHALL ESTABLISH PROCEDURES FOR DIRECTING THE  
9 RETURN OF IDENTIFICATION CARDS WHEN A PERSON'S EMPLOYMENT OR ASSOCIATION  
10 WITH THE TOWN, VILLAGE, CITY, COUNTY, DEPARTMENT, DISTRICT, DIVISION,  
11 AGENCY OR MUNICIPALITY FOR WHICH THEY VOLUNTEER WITH OR WORK FOR HAS  
12 ENDED AND FOR PLACING AN ALERT IN THE DATABASE WHERE A CARD HAS BEEN  
13 LOST OR STOLEN AND ANY ACTION THE COMMISSIONER DEEMS NECESSARY UNDER  
14 SUCH CIRCUMSTANCES.

15 4. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY  
16 TO OBTAIN THE INFORMATION NECESSARY TO IMPLEMENT THE DATABASE REQUIRED  
17 BY THIS SECTION, ISSUE UNIFORM IDENTIFICATION CARDS, ENSURE THAT DIGI-  
18 TIZED PHOTOGRAPHS ARE RECENT AND ESTABLISH PROGRAMS OR INITIATIVES TO  
19 SUPPLEMENT SUCH SYSTEM FOR THE PURPOSE OF IMPROVING LAW ENFORCEMENT  
20 SECURITY. THE COMMISSIONER SHALL CONSULT AND COMPLY WITH ANY FEDERAL  
21 LAWS, RULES, REGULATIONS OR STANDARDS PERTAINING TO THE ISSUANCE OF  
22 UNIFORM LAW ENFORCEMENT IDENTIFICATION CARDS.

23 S 2. This act shall take effect on the sixtieth day after it shall  
24 have become a law.