

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

2377--A

2011-2012 Regular Sessions

I N S E N A T E

January 19, 2011

Introduced by Sens. SEWARD, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to authorizing peace officers designated to investigate insurance frauds to execute arrest warrants and search warrants and repealing certain provisions of such law relating thereto

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

1 Section 1. Subdivision 1 of section 2.20 of the criminal procedure
2 law is amended by adding a new paragraph (k) to read as follows:
3 (K) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, EMPLOYEES OF
4 THE INSURANCE FRAUDS BUREAU OF THE DEPARTMENT OF INSURANCE DESIGNATED AS
5 PEACE OFFICERS BY THE SUPERINTENDENT OF INSURANCE SHALL HAVE THE POWER
6 TO (I) APPLY FOR AND EXECUTE WARRANTS OF ARREST AS SET FORTH IN ARTICLE
7 ONE HUNDRED TWENTY OF THIS CHAPTER, AND (II) APPLY FOR AND EXECUTE
8 SEARCH WARRANTS IN ACCORDANCE WITH ARTICLE SIX HUNDRED NINETY OF THIS
9 CHAPTER, WHENEVER ACTING PURSUANT TO THEIR SPECIAL DUTIES.
10 S 2. Paragraph (k) of subdivision 1 of section 2.20 of the criminal
11 procedure law, as added by section one of this act, is REPEALED and a
12 new paragraph (k) is added to read as follows:
13 (K) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, EMPLOYEES OF
14 THE DEPARTMENT OF FINANCIAL SERVICES DESIGNATED AS PEACE OFFICERS BY THE
15 SUPERINTENDENT OF FINANCIAL SERVICES SHALL HAVE THE POWER TO (I) APPLY
16 FOR AND EXECUTE WARRANTS OF ARREST AS SET FORTH IN ARTICLE ONE HUNDRED
17 TWENTY OF THIS CHAPTER, AND (II) APPLY FOR AND EXECUTE SEARCH WARRANTS
18 IN ACCORDANCE WITH ARTICLE SIX HUNDRED NINETY OF THIS CHAPTER, WHENEVER
19 ACTING PURSUANT TO THEIR SPECIAL DUTIES.
20 S 3. This act shall take effect on the ninetieth day after it shall
21 have become a law; provided however that section two of this act shall
22 take effect on the same date and in the same manner as section 1 of part
23 A of chapter 62 of the laws of 2011, takes effect.

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

LBD05752-02-1