

5710--A

2013-2014 Regular Sessions

I N S E N A T E

June 6, 2013

Introduced by Sen. ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommended to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to the calculation of expenses of members of the police department and other peace officers in attending police training schools

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

1 Section 1. Section 72-c of the general municipal law, as amended by
2 section 1 of subpart C of part C of chapter 97 of the laws of 2011, is
3 amended to read as follows:
4 S 72-c. Expenses of members of the police department and other peace
5 officers in attending police training schools. The board or body of a
6 county, city, town or village authorized to appropriate and to raise
7 money by taxation and to make payments therefrom, is hereby authorized,
8 in its discretion, to appropriate and to raise money by taxation and to
9 make payments from such moneys, for the annual expenses of the members
10 of the police department of such municipal corporation in attending a
11 police training school, as provided by the regulations of the depart-
12 ment, either within such municipal corporation or elsewhere within the
13 state; and for the payment of reasonable expenses of such members and
14 other police officers or peace officers of the municipality while going
15 to, attending, and returning from any training school conducted by or
16 under the auspices of the federal bureau of investigation, whether with-
17 in or without the state. Notwithstanding any inconsistent provision of
18 any general, special or local law to the contrary, whenever a member of
19 the police department of a municipal corporation, EXCEPT A POLICE
20 DEPARTMENT OF A MUNICIPAL CORPORATION HAVING A POPULATION OF ONE MILLION
21 OR MORE, has attended a police training school, the expense of which was

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

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1 borne by such municipal corporation, terminates employment with such
2 municipal corporation and commences employment with any other municipal
3 corporation, EXCEPT A POLICE DEPARTMENT OF A MUNICIPAL CORPORATION
4 HAVING A POPULATION OF ONE MILLION OR MORE, or employer county sheriff,
5 such employer municipal corporation or employer county sheriff shall
6 reimburse the prior employer municipal corporation, EXCEPT A POLICE
7 DEPARTMENT OF A MUNICIPAL CORPORATION HAVING A POPULATION OF ONE MILLION
8 OR MORE, for such expenses, including, salary, tuition, enrollment fees,
9 books, and the cost of transportation to and from training school, as
10 follows: on a pro rata basis, to be calculated by subtracting from the
11 number of days in the three years following the date of the member's
12 graduation from police training school, the number of days between the
13 date of the member's graduation from training school and the date of the
14 termination of employment with the municipal corporation which paid for
15 such training, and multiplying the difference by the per diem cost of
16 such expenses, to be calculated by dividing the total cost of such
17 expenses by the number of days in the three years following the date of
18 the member's graduation, if such change in employment occurs within
19 three years of such member's graduation from police training school.
20 Provided, however, the employer municipal corporation or employer county
21 sheriff shall not be required to reimburse the prior employer municipal
22 corporation for that portion of such expenses which is reimbursable by
23 the member to the prior employer municipal corporation under the terms
24 of an employment or labor agreement. Provided, further, however, the
25 employer municipal corporation or employer county sheriff shall not be
26 required to reimburse the prior employer municipal corporation for such
27 basic training if such change in employment occurs after the expiration
28 of the validity of the member's certificate attesting to the satisfac-
29 tory completion of an approved municipal police basic training program.
30 S 2. This act shall take effect immediately.