

6146

I N S E N A T E

(PREFILED)

January 8, 2014

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to the identification of retired police officers and peace officers

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

1 Section 1. This act shall be known and may be cited as the "retired
2 law enforcement identification act".
3 S 2. Section 845 of the executive law is amended by adding two new
4 subdivisions 6 and 7 to read as follows:
5 6. THE DIVISION, UPON BEING NOTIFIED BY THE HEAD OF A STATE OR LOCAL
6 AGENCY, UNIT OF LOCAL GOVERNMENT, STATE OR LOCAL COMMISSION, PUBLIC
7 AUTHORITY OR OTHER ORGANIZATION WHICH EMPLOYS POLICE OFFICERS OR PEACE
8 OFFICERS OF THE RETIREMENT FROM DUTY OF A POLICE OFFICER, AS DEFINED IN
9 SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW OR
10 A PEACE OFFICER AS DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE
11 LAW, SHALL UPDATE THE RETIREMENT STATUS OF SUCH OFFICERS IN THE CENTRAL
12 STATE REGISTRY ESTABLISHED UNDER THIS SECTION. ADDITIONALLY THE DIVI-
13 SION SHALL ASSIGN TO SUCH RETIRED AND RETIRING POLICE AND PEACE OFFICERS
14 A UNIQUE PERSONAL IDENTIFICATION NUMBER AND SHALL MAINTAIN THE UNIQUE
15 PERSONAL IDENTIFICATION NUMBER IN THE CENTRAL STATE REGISTRY.
16 7. THE DIVISION, UPON BEING NOTIFIED BY THE HEAD OF THE STATE OR LOCAL
17 AGENCY, UNIT OF LOCAL GOVERNMENT, STATE OR LOCAL COMMISSION, PUBLIC
18 AUTHORITY OR OTHER ORGANIZATION WHICH EMPLOYS POLICE OFFICERS OR PEACE
19 OFFICERS OF THE RETIREMENT FROM DUTY OF A POLICE OFFICER, AS DEFINED IN
20 SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW,
21 OR A PEACE OFFICER AS DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE
22 LAW, SHALL ISSUE TO THE RETIRING POLICE OFFICER OR PEACE OFFICER AN
23 IDENTIFICATION CARD. THE IDENTIFICATION CARD SHALL STATE ON THE FACE THE
24 FOLLOWING INFORMATION: THE CARD TITLE: "RETIRED LAW ENFORCEMENT IDEN-
25 TIFICATION CARD"; THE RETIRING POLICE OR PEACE OFFICER'S NAME; A PHOTO-
26 GRAPH OF THE RETIRING POLICE OR PEACE OFFICER; HIS OR HER DATE OF BIRTH;
27 GENDER; COLOR OF EYES; FORMER RANK OR TITLE; THE AGENCY THE OFFICER IS

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

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1 RETIRING FROM; THE UNIQUE PERSONAL IDENTIFICATION NUMBER CREATED IN
2 SUBDIVISION SIX OF THIS SECTION; THE RETIREE'S SIGNATURE; ISSUER'S
3 SIGNATURE AND TITLE; THE YEAR OF RETIREMENT; AND ANY OTHER INFORMATION
4 THE COMMISSIONER SHALL DEEM NECESSARY. ON THE REVERSE THE CARD SHALL
5 STATE THE FOLLOWING: THE NAME, TELEPHONE NUMBER AND ADDRESS OF THE
6 PUBLIC AGENCY ISSUING THE IDENTIFICATION CARD; THE DATE THE IDENTIFICA-
7 TION CARD WAS ISSUED AND THE FOLLOWING STATEMENT: "THIS CARD DOES NOT
8 GIVE THE RETIRED LAW ENFORCEMENT OFFICER ANY POLICE POWERS, INCLUDING
9 ANY AUTHORITY TO ARREST". THE DIVISION SHALL ISSUE THE IDENTIFICATION
10 CARD WITHIN SIXTY DAYS OF BEING NOTIFIED OF THE OFFICER'S RETIREMENT.

11 S 3. The executive law is amended by adding a new section 845-a to
12 read as follows:

13 S 845-A. RETIRED FEDERAL LAW ENFORCEMENT OFFICERS. THE DIVISION SHALL
14 MAKE AVAILABLE BOTH ON THE DIVISION'S INTERNET WEBSITE AND IN ALL
15 OFFICES OF STATE OR LOCAL AGENCY, UNIT OF LOCAL GOVERNMENT, STATE OR
16 LOCAL COMMISSION, PUBLIC AUTHORITY OR OTHER ORGANIZATION WHICH EMPLOYS
17 POLICE OFFICERS OR PEACE OFFICERS THAT IS OPEN TO THE GENERAL PUBLIC, AN
18 APPLICATION FORM FOR ISSUANCE OF AN IDENTIFICATION CARD PURSUANT TO
19 SUBDIVISION SEVEN OF SECTION EIGHT HUNDRED FORTY-FIVE OF THIS ARTICLE TO
20 RETIRED FEDERAL LAW ENFORCEMENT OFFICERS, AS SUCH TERM IS DEFINED IN
21 SECTION 2.15 OF THE CRIMINAL PROCEDURE LAW. THE DIVISION SHALL ISSUE THE
22 IDENTIFICATION CARD PRESCRIBED BY SUBDIVISION SEVEN OF SECTION EIGHT
23 HUNDRED FORTY-FIVE OF THIS ARTICLE TO FEDERAL LAW ENFORCEMENT OFFICERS
24 WHO ARE RESIDING IN THE STATE OF NEW YORK; PROVIDED THAT THE DIVISION IS
25 ABLE TO CONFIRM THE INDIVIDUAL'S PRIOR EMPLOYMENT AND RETIREMENT FROM A
26 FEDERAL AGENCY WHICH EMPLOYS FEDERAL LAW ENFORCEMENT OFFICERS. UPON
27 CONFIRMATION OF EMPLOYMENT AND RETIREMENT OF A FEDERAL LAW ENFORCEMENT
28 OFFICER, THE DIVISION SHALL ASSIGN TO SUCH OFFICER A UNIQUE PERSONAL
29 IDENTIFICATION NUMBER AND SHALL KEEP THE OFFICER'S NAME, UNIQUE PERSONAL
30 IDENTIFICATION NUMBER, A PHOTOGRAPH OF THE RETIRED OR RETIRING FEDERAL
31 LAW ENFORCEMENT OFFICER, HIS OR HER DATE OF BIRTH, FORMER RANK OR TITLE,
32 THE FEDERAL AGENCY THE OFFICER IS RETIRED FROM AND ANY OTHER INFORMATION
33 THE COMMISSIONER SHALL DEEM NECESSARY TO CARRY OUT THE PROVISIONS OF
34 THIS SECTION IN THE CENTRAL STATE REGISTRY OF POLICE OFFICERS AND PEACE
35 OFFICERS. THE IDENTIFICATION CARD THAT THE DIVISION ISSUES TO ALL
36 RETIRED FEDERAL LAW ENFORCEMENT OFFICERS SHALL INCLUDE THE COMPONENTS
37 PRESCRIBED BY SUBDIVISION SEVEN OF SECTION EIGHT HUNDRED FORTY-FIVE OF
38 THIS ARTICLE. THE DIVISION SHALL ISSUE THE IDENTIFICATION CARD WITHIN
39 SIXTY DAYS OF RECEIVING THE APPLICATION IF PROOF OF EMPLOYMENT AND
40 RETIREMENT FROM SUCH A FEDERAL AGENCY IS CONFIRMED.

41 S 4. This act shall take effect immediately.