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

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:

Section 1. This act shall be known and may be cited as the "retired law enforcement identification act".

S 2. Section 845 of the executive law is amended by adding two new subdivisions 6 and 7 to read as follows:

6. THE DIVISION, UPON BEING NOTIFIED BY THE HEAD OF A STATE OR LOCAL AGENCY, UNIT OF LOCAL GOVERNMENT, STATE OR LOCAL COMMISSION, PUBLIC AUTHORITY OR OTHER ORGANIZATION WHICH EMPLOYS POLICE OFFICERS OR PEACE OFFICERS OF THE RETIREMENT FROM DUTY OF A POLICE OFFICER, AS DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW OR A PEACE OFFICER AS DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW, SHALL UPDATE THE RETIREMENT STATUS OF SUCH OFFICERS IN THE CENTRAL STATE REGISTRY ESTABLISHED UNDER THIS SECTION. ADDITIONALLY THE DIVISION SHALL ASSIGN TO SUCH RETIRED AND RETIRING POLICE AND PEACE OFFICERS A UNIQUE PERSONAL IDENTIFICATION NUMBER AND SHALL MAINTAIN THE UNIQUE PERSONAL IDENTIFICATION NUMBER IN THE CENTRAL STATE REGISTRY.

7. THE DIVISION, UPON BEING NOTIFIED BY THE HEAD OF THE STATE OR LOCAL AGENCY, UNIT OF LOCAL GOVERNMENT, STATE OR LOCAL COMMISSION, PUBLIC AUTHORITY OR OTHER ORGANIZATION WHICH EMPLOYS POLICE OFFICERS OR PEACE OFFICERS OF THE RETIREMENT FROM DUTY OF A POLICE OFFICER, AS DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, OR A PEACE OFFICER AS DEFINED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW, SHALL ISSUE TO THE RETIRING POLICE OFFICER OR PEACE OFFICER AN IDENTIFICATION CARD. THE IDENTIFICATION CARD SHALL STATE ON THE FACE THE FOLLOWING INFORMATION: THE CARD TITLE: "RETIRED LAW ENFORCEMENT IDENTIFICATION CARD"; THE RETIRING POLICE OR PEACE OFFICER'S NAME; A PHOTOGRAPH OF THE RETIRING POLICE OR PEACE OFFICER; HIS OR HER DATE OF BIRTH; 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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RETIRING FROM; THE UNIQUE PERSONAL IDENTIFICATION NUMBER CREATED IN SUBDIVISION SIX OF THIS SECTION; THE RETIREE'S SIGNATURE; ISSUER'S SIGNATURE AND TITLE; THE YEAR OF RETIREMENT; AND ANY OTHER INFORMATION THE COMMISSIONER SHALL DEEM NECESSARY. ON THE REVERSE THE CARD SHALL STATE THE FOLLOWING: THE NAME, TELEPHONE NUMBER AND ADDRESS OF THE PUBLIC AGENCY ISSUING THE IDENTIFICATION CARD; THE DATE THE IDENTIFICATION CARD WAS ISSUED AND THE FOLLOWING STATEMENT: "THIS CARD DOES NOT GIVE THE RETIRED LAW ENFORCEMENT OFFICER ANY POLICE POWERS, INCLUDING ANY AUTHORITY TO ARREST". THE DIVISION SHALL ISSUE THE IDENTIFICATION CARD WITHIN SIXTY DAYS OF BEING NOTIFIED OF THE OFFICER'S RETIREMENT.

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

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

S 4. This act shall take effect immediately.