

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

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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. SCHIMEL, MONTESANO, COOK, CAMARA -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, 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

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

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1 other police officers or peace officers of the municipality while going
2 to, attending, and returning from any training school conducted by or
3 under the auspices of the federal bureau of investigation, whether with-
4 in or without the state. Notwithstanding any inconsistent provision of
5 any general, special or local law to the contrary, whenever a member of
6 the police department of a municipal corporation, EXCEPT A POLICE
7 DEPARTMENT OF A MUNICIPAL CORPORATION HAVING A POPULATION OF ONE MILLION
8 OR MORE, has attended a police training school, the expense of which was
9 borne by such municipal corporation, terminates employment with such
10 municipal corporation and commences employment with any other municipal
11 corporation, EXCEPT A POLICE DEPARTMENT OF A MUNICIPAL CORPORATION
12 HAVING A POPULATION OF ONE MILLION OR MORE, or employer county sheriff,
13 such employer municipal corporation or employer county sheriff shall
14 reimburse the prior employer municipal corporation, EXCEPT A POLICE
15 DEPARTMENT OF A MUNICIPAL CORPORATION HAVING A POPULATION OF ONE MILLION
16 OR MORE, for such expenses, including, salary, tuition, enrollment fees,
17 books, and the cost of transportation to and from training school, as
18 follows: on a pro rata basis, to be calculated by subtracting from the
19 number of days in the three years following the date of the member's
20 graduation from police training school, the number of days between the
21 date of the member's graduation from training school and the date of the
22 termination of employment with the municipal corporation which paid for
23 such training, and multiplying the difference by the per diem cost of
24 such expenses, to be calculated by dividing the total cost of such
25 expenses by the number of days in the three years following the date of
26 the member's graduation, if such change in employment occurs within
27 three years of such member's graduation from police training school.
28 Provided, however, the employer municipal corporation or employer county
29 sheriff shall not be required to reimburse the prior employer municipal
30 corporation for that portion of such expenses which is reimbursable by
31 the member to the prior employer municipal corporation under the terms
32 of an employment or labor agreement. Provided, further, however, the
33 employer municipal corporation or employer county sheriff shall not be
34 required to reimburse the prior employer municipal corporation for such
35 basic training if such change in employment occurs after the expiration
36 of the validity of the member's certificate attesting to the satisfac-
37 tory completion of an approved municipal police basic training program.
38 S 2. This act shall take effect immediately.