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

5142

2015-2016 Regular Sessions

I N  S E N A T E

May 4, 2015

Introduced by Sen. HAMILTON -- 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 establishing a postretirement law enforcement officer cold case grant program within the division of state police and making an appropriation therefor

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

Section 1. The executive law is amended by adding a new section 232 to read as follows:

S 232. POSTRETIREMENT LAW ENFORCEMENT OFFICER COLD CASE GRANT PROGRAM. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION A POSTRETIREMENT LAW ENFORCEMENT OFFICER COLD CASE GRANT PROGRAM. A LOCAL LAW ENFORCEMENT AGENCY MAY APPLY TO THE DIVISION FOR A GRANT TO FUND THE HIRING OF A RETIRED LAW ENFORCEMENT OFFICER OR OFFICERS AT A SALARY OF THIRTY THOUSAND DOLLARS PER YEAR FOR THE PURPOSES LISTED IN SUBDIVISION TWO OF THIS SECTION.

2. A LAW ENFORCEMENT OFFICER POSITION FUNDED BY THIS SECTION SHALL BE DEDICATED TO WORK ON UNSOLVED CASES, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(A) COLLECTION AND RECOVERY OF EVIDENCE, INCLUDING DNA SAMPLES;

(B) INTERVIEWING WITNESSES AND PEOPLE OF INTEREST;

(C) RESEARCHING UNSOLVED CASES TO DETERMINE POTENTIAL CONNECTIONS AND LEADS;

(D) PROVIDING KNOWLEDGE AND EXPERTISE IN EVALUATING CRIMINAL BEHAVIOR RELEVANT TO PARTICULAR CASES; AND

(E) DATA ENTRY AND ANALYSIS.

3. THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM ESTABLISHED BY THIS SECTION AND SHALL ESTABLISH BY REGULATION THE GUIDELINES IT DEEMS NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM. SUCH REGULATIONS SHALL SET FORTH THE TERMS AND CONDITIONS UPON WHICH THE DIVISION IS PREPARED TO OFFER GRANT OF FUNDS. ALL APPLICATIONS SHALL BE REVIEWED AND EVALUATED

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

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BY THE DIVISION AND GRANTS SHALL BE AWARDED ON THE BASIS OF NEED, CONSISTENCY WITH THE REQUIREMENTS OF THIS SECTION, AND DIVISION RULES AND REGULATIONS.

4. (A) ALL GRANT FUNDS RECEIVED BY APPLICANTS SHALL BE USED TO FUND THE OFFICER POSITIONS AND SHALL NOT SUPPLANT LOCAL FUNDS. ADMINISTRATIVE COSTS ASSOCIATED WITH A POSITION FUNDED BY THE GRANT PROGRAM SHALL BE ABSORBED BY THE APPLICANT.

(B) A GRANT AWARD TO A PARTICULAR LOCAL LAW ENFORCEMENT AGENCY SHALL NOT EXCEED ONE HUNDRED THOUSAND DOLLARS.

(C) THE SERVICE, COMPENSATION OR ANY OTHER LIMITS THAT ARE IMPOSED ON A PERSON RECEIVING A PENSION BENEFIT SHALL NOT APPLY TO A LAW ENFORCEMENT OFFICER WHOSE POSITION IS FUNDED BY A GRANT AWARDED PURSUANT TO THIS SECTION.

S 2. The sum of two million dollars ($2,000,000), or so much thereof as may be necessary, is hereby appropriated to the postretirement law enforcement officer cold case grant program from the general fund, for administration of grants to qualified applicants selected by the division of state police.

S 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed by the superintendent of state police on or before such effective date.