

STATE OF NEW YORK

5817

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to exempting certain officers of the departments of correction and sanitation of the city of New York from training requirements for security guards; and to amend the criminal procedure law, in relation to designating correction officers of New York city as peace officers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs a, f and g of subdivision 4 of section 89-n of
2 the general business law, paragraphs a and f as amended and paragraph g
3 as added by chapter 221 of the laws of 2003, are amended and a new para-
4 graph h is added to read as follows:

5 a. a correction officer of any state correctional facility or a member
6 of the uniformed correction force of the New York city department of
7 correction having the powers of a peace officer pursuant to subdivision
8 twenty-five of section 2.10 of the criminal procedure law;

9 f. a police officer as defined in paragraphs (a), (b), (c), (d), (e),
10 (f), (j), (k), (l), (o) and (p) of subdivision thirty-four of section
11 1.20 of the criminal procedure law who has been retired from such
12 employment for a period not to exceed ten years, provided, however, that
13 a retired police officer who has been retired from such employment for a
14 period in excess of ten years shall be required to provide proof to his
15 or her security guard employer of his or her satisfactory completion of
16 an eight hour annual in-service training course approved by the commis-
17 sioner, and provided further, however, that a retired police officer who
18 will be required by his or her security guard employer to carry a
19 firearm or will be authorized to have access to a firearm shall provide
20 to such employer proof of his or her satisfactory completion of a
21 forty-seven hour firearms training course approved by the commissioner
22 and, if such firearms training course has not been completed within one

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

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1 year prior to such employment, satisfactory completion of an additional
2 eight hour annual firearms in-service training course approved by the
3 commissioner, such training course to be completed at least annually;
4 [~~or~~]

5 g. a peace officer as defined in subdivisions two, twenty and twenty-
6 five and paragraphs a and b of subdivision twenty-one of section 2.10 of
7 the criminal procedure law who has been retired from such employment for
8 a period not to exceed ten years, provided, however, that a retired
9 peace officer who has been retired from such employment for a period in
10 excess of ten years shall be required to provide proof to his or her
11 security guard employer of his or her satisfactory completion of an
12 eight hour annual in-service training course approved by the municipal
13 police training council, and provided further, however, that a retired
14 peace officer who will be required by his or her security guard employer
15 to carry a firearm or will be authorized to have access to a firearm
16 shall provide to such employer proof of his or her satisfactory
17 completion of a forty-seven hour firearms training course approved by
18 the municipal police training council and, if such firearms training
19 course has not been completed within one year prior to employment,
20 satisfactory completion of an additional eight hour annual firearms
21 in-service training course approved by the municipal police training
22 council, such training course to be completed at least annually[~~-~~]; or

23 h. an officer or member of the sanitation police of the department of
24 sanitation of the city of New York having the powers of a peace officer
25 pursuant to subdivision fifty-nine of section 2.10 of the criminal
26 procedure law.

27 § 2. Subdivision 25 of section 2.10 of the criminal procedure law, as
28 amended by section 70 of subpart B of part C of chapter 62 of the laws
29 of 2011, is amended to read as follows:

30 25. Officials, as designated by the commissioner of the department of
31 corrections and community supervision pursuant to rules of the depart-
32 ment, and correction officers of any state or New York city correctional
33 facility or of any penal correctional institution.

34 § 3. This act shall take effect immediately.