

STATE OF NEW YORK

199

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to the appropriation of funds for the training of firefighters

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 § 72-c. Expenses of members of the police department, the fire depart-
5 ment and other peace officers in attending police or firefighter train-
6 ing schools. The board or body of a county, city, town or village
7 authorized to appropriate and to raise money by taxation and to make
8 payments therefrom, is hereby authorized, in its discretion, to appro-
9 priate and to raise money by taxation and to make payments from such
10 moneys, for the annual expenses of the members of the police department
11 of such municipal corporation in attending a police training school, and
12 for the annual expenses of the members of the fire department of such
13 municipal corporation in attendance in a firefighter training school, as
14 provided by the regulations of the department, either within such munic-
15 ipal corporation or elsewhere within the state; and for the payment of
16 reasonable expenses of such members and other police officers [~~or~~],
17 peace officers or firefighters of the municipality while going to,
18 attending, and returning from any training school conducted by or under
19 the auspices of the federal bureau of investigation, or, in the case of
20 firefighters, under the auspices of the appropriate entity, whether
21 within or without the state. Notwithstanding any inconsistent provision
22 of any general, special or local law to the contrary, whenever a member
23 of the police department of a municipal corporation has attended a
24 police training school, or a member of the fire department of a munici-

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

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1 pal corporation has attended a firefighter training school, the expense
2 of which was borne by such municipal corporation, terminates employment
3 with such municipal corporation and commences employment with any other
4 municipal corporation or employer county sheriff, such employer municipi-
5 pal corporation or employer county sheriff shall reimburse the prior
6 employer municipal corporation for such expenses, including, salary,
7 tuition, enrollment fees, books, and the cost of transportation to and
8 from training school, as follows: on a pro rata basis, to be calculated
9 by subtracting from the number of days in the three years following the
10 date of the member's graduation from police or firefighter training
11 school, the number of days between the date of the member's graduation
12 from training school and the date of the termination of employment with
13 the municipal corporation which paid for such training, and multiplying
14 the difference by the per diem cost of such expenses, to be calculated
15 by dividing the total cost of such expenses by the number of days in the
16 three years following the date of the member's graduation, if such
17 change in employment occurs within three years of such member's gradu-
18 ation from police or firefighter training school. Provided, however, the
19 employer municipal corporation or employer county sheriff shall not be
20 required to reimburse the prior employer municipal corporation for that
21 portion of such expenses which is reimbursable by the member to the
22 prior employer municipal corporation under the terms of an employment or
23 labor agreement. Provided, further, however, the employer municipal
24 corporation or employer county sheriff shall not be required to reim-
25 burse the prior employer municipal corporation for such basic training
26 if such change in employment occurs after the expiration of the validity
27 of the member's certificate attesting to the satisfactory completion of
28 an approved municipal police or firefighter basic training program.
29 § 2. This act shall take effect immediately.