

STATE OF NEW YORK

9942

IN SENATE

October 28, 2024

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to requiring the municipal police training council establish standards for the destruction of controlled substances

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

1 Section 1. Section 840 of the executive law is amended by adding a new
2 subdivision 8 to read as follows:

3 8. The council shall, in addition:

4 (a) Develop, maintain, and disseminate, in consultation with the
5 department of environmental conservation and department of health, a
6 minimum standards policy governing the destruction of controlled
7 substances by law enforcement. The minimum standards policy shall
8 include, but not be limited to, a method of destruction that will render
9 all controlled substances to a non-retrievable state to prevent diver-
10 sion and protect the public health and safety consistent with 21 CFR
11 Part 1317, prohibited methods of destruction, record retention and
12 management, and training.

13 (b) Recommend to the governor, the temporary president of the senate
14 and the speaker of the assembly, rules and regulations with respect to
15 the establishment and implementation on an ongoing basis of a training
16 program for all current and new police officers regarding the policies
17 and procedures established pursuant to this subdivision, along with
18 recommendations for periodic retraining of police officers.

19 § 2. The executive law is amended by adding a new section 837-y to
20 read as follows:

21 § 837-y. Disclosure of the minimum standards policy for the
22 destruction of controlled substances by law enforcement agencies. All
23 state and local law enforcement agencies shall post such minimum stand-
24 ards policy, as promulgated under subdivision eight of section eight
25 hundred forty of this article on its website, or if such law enforcement
26 agency does not maintain a website, in its main office. Such policy
27 shall be made available to the public upon request.

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

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1 § 3. This act shall take effect one year after it shall have become a
2 law. Effective immediately, the addition, amendment and/or repeal of any
3 rule or regulation necessary for the implementation of this act on its
4 effective date are authorized to be made and completed on or before such
5 date.