STATE OF NEW YORK

4526

2023-2024 Regular Sessions

IN ASSEMBLY

February 16, 2023

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

AN ACT to amend the general business law, in relation to the denial of an application for a license to install, service or maintain security or fire alarm systems submitted by persons convicted of certain felonies and increasing the period of a license suspension

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

Section 1. Paragraph (c) of subdivision 2 of section 69-o of the general business law, as amended by chapter 575 of the laws of 1993, is amended to read as follows:

(c) A conviction for which a certificate of relief from disabilities or a certificate of good conduct has been issued pursuant to the correction law.

The division of criminal justice services shall retain the fingerprint cards and return the report of such convictions or pending cases, if any, to the secretary of state who shall retain them in a confidential file for no more than one year, after which time such report shall be destroyed.

The secretary of state shall deny the application of any individual convicted **in this state or any other state or territory** of a felony**, which in the discretion of such secretary, bears a relationship to the performance of the duties of an alarm installer; or** involving fraud, bribery, perjury or theft pursuant to article one hundred forty, one hundred fifty-five, one hundred sixty, one hundred sixty-five, one hundred seventy, one hundred seventy-five, one hundred seventy-six, one hundred eighty, one hundred eighty-five, one hundred ninety, one hundred ninety-five, two hundred or two hundred ten of the penal law; or has a criminal action which has been pending for such a felony for under one year without a final disposition unless adjourned in contemplation of dismissal; provided, however, that for the purposes of this article,

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

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none of the following shall be considered criminal convictions or reported as such:

(i) A conviction which has been vacated and replaced by a youthful offender finding pursuant to article seven hundred twenty of the criminal procedure law, or the applicable provisions of law of any other jurisdiction; or

(ii) A conviction the records of which have been expunged or sealed pursuant to the applicable provisions of the laws of this state or of any other jurisdiction; or

(iii) A conviction for which a certificate of relief from disabilities or a certificate of good conduct has been issued pursuant to the correction law.

§ 2. Subdivision 2 of section 69-s of the general business law, as amended by chapter 575 of the laws of 1993, is amended to read as follows:

2. Whenever the license to engage in the business of installing, servicing or maintaining security or fire alarm systems is revoked, such license shall not be reinstated or reissued until after the expiration of a period of **at least** five years from the date of such revocation.

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