STATE OF NEW YORK

4559--C

2023-2024 Regular Sessions

IN SENATE

February 10, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the executive law, in relation to enacting the "school security guard training enhancement act"

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

Section 1. Short title. This act shall be known and may be cited as the "school security guard training enhancement act".

§ 2. Article 7-A of the general business law is amended by adding a new section 89-x to read as follows:

§ 89-x. Applicability to school security guards. 1. School security guards employed or contracted by a school in this state, including, but not limited to, retired police officers that have been retired for more than five years, shall obtain a specialized certification, in addition to the general security guard license required by article seven-A of this chapter. Such specialized certification shall require the completion of a school-specific training program, including, but not limited to, role and responsibility of school security officers, school-related laws and liability, security awareness in the educational environment, youth mediation/conflict resolution, disasters and emergencies, dynamics of student behavior and cultural awareness, restorative justice, crisis prevention, and the Dignity for All Students Act (DASA).

2. The specialized training program shall be implemented and enforced by the department, in consultation with the department of education and

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

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the department of criminal justice services, the division of homeland security, state police and local law enforcement. Such training program shall be standardized and approved statewide.

3. The secretary shall, in consultation with the department of education and the security guard advisory council, adopt rules and regulations implementing the provisions of this section. Such rules and regulations shall include, but not be limited to:

(a) requirements of the specialized certification and school-specific training program;

(b) criteria determining if prior training and experience may be used to satisfy the training requirements of such specialized certification;

(c) the period of time after this section becomes a law when the program shall be implemented; and

(d) upon implementation of the certification program, determine a period of time not to exceed one year that individuals will have to obtain such certificate to continue serving as a school security guard.

4. Nothing in this section shall supersede the language of any collectively bargained agreement subject to article fourteen of the civil service law. Any costs associated with this training, or leave time required, shall be subject to a collectively bargained agreement under article fourteen of the civil service law.

§ 3. Paragraphs (c) and (d) of subdivision 1 of section 841-b of the executive law, as added by chapter 336 of the laws of 1992, are amended and a new paragraph (e) is added to read as follows:

(c) minimum qualifications for instructors at approved security guard training schools and training programs; [~~and~~]

(d) the subject matter of all training requirements which security guards and security guard applicants must complete before being registered as unarmed and armed security guards[~~.~~]; and

(e) the training requirements for the school-specific training program described in section eighty-nine-x of the general business law.

§ 4. Subdivision 7 of section 841 of the executive law, as amended by section 6 of part Q of chapter 56 of the laws of 2009, is amended to read as follows:

7. Consult with and cooperate with other departments and agencies of the state concerned with police officer, school security guards, and peace officer training;

§ 5. This act shall take effect on the one hundred eightieth 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 effective date.