

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:

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

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

5 § 89-x. Applicability to school security guards. 1. School security
6 guards employed or contracted by a school in this state, including, but
7 not limited to, retired police officers that have been retired for more
8 than five years, shall obtain a specialized certification, in addition
9 to the general security guard license required by article seven-A of
10 this chapter. Such specialized certification shall require the
11 completion of a school-specific training program, including, but not
12 limited to, role and responsibility of school security officers, school-
13 related laws and liability, security awareness in the educational envi-
14 ronment, youth mediation/conflict resolution, disasters and emergencies,
15 dynamics of student behavior and cultural awareness, restorative
16 justice, crisis prevention, and the Dignity for All Students Act (DASA).

17 2. The specialized training program shall be implemented and enforced
18 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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1 the department of criminal justice services, the division of homeland
2 security, state police and local law enforcement. Such training program
3 shall be standardized and approved statewide.

4 3. The secretary shall, in consultation with the department of educa-
5 tion and the security guard advisory council, adopt rules and regu-
6 lations implementing the provisions of this section. Such rules and
7 regulations shall include, but not be limited to:

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

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

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

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

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

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

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

27 (d) the subject matter of all training requirements which security
28 guards and security guard applicants must complete before being regis-
29 tered as unarmed and armed security guards~~[-]~~; and

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

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

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

38 § 5. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law. Effective immediately, the addition, amend-
40 ment and/or repeal of any rule or regulation necessary for the implemen-
41 tation of this act on its effective date are authorized to be made and
42 completed on or before such effective date.