

§ 209-q. Permanent appointment of police officers; completion of training program. 1. (a) Notwithstanding the provisions of any general, special or local law or charter to the contrary, no person shall, after July first, nineteen hundred sixty, receive an original appointment on a permanent basis as a police officer of any county, city, town, village or police district unless such person has previously been awarded a certificate by the executive director of the municipal police training council created under article thirty-five of the executive law, attesting to his satisfactory completion of an approved municipal police basic training program; and every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as a police officer of any county, city, town, village or police district shall forfeit his position as such unless he previously has satisfactorily completed, or within the time prescribed by regulations promulgated by the governor pursuant to section eight hundred forty-two of the executive law, satisfactorily completes, a municipal police basic training program for temporary or probationary police officers and is awarded a certificate by such director attesting thereto.

(b) Except as provided in paragraph (b-1) of this subdivision a certificate attesting to satisfactory completion of an approved municipal police basic training program awarded by the executive director of the municipal police training council pursuant to this subdivision shall remain valid:

(i) during the holder's continuous service as a police officer or peace officer who has an equivalency certificate for police officer training or an approved course for state university of New York public safety officers issued in accordance with subdivision three of section eight hundred forty-one of the executive law, provided that such police officer received training as set forth under subdivision eight of section eight hundred forty of the executive law, consistent with the rules and regulations promulgated therein; and

(ii) for two years after the date of the commencement of an interruption in such service where the holder had, immediately prior to such interruption, served as a police officer or peace officer who has an equivalency certificate for police officer training or an approved course for state university of New York public safety officers issued in accordance with subdivision three of section eight hundred forty-one of

the executive law, for less than two consecutive years; or

(iii) for four years after the date of the commencement of an interruption in such service where the holder had, immediately prior to such interruption, served as a police officer or peace officer who has an equivalency certificate for police officer training or an approved course for state university of New York public safety officers issued in accordance with subdivision three of section eight hundred forty-one of the executive law, for two consecutive years or longer; or

(iv) where the holder, whose interruption in continuous service as a police officer does not exceed ten years, has satisfactorily completed an approved police officer refresher course or where a peace officer, who seeks an equivalency certificate for police officer training or an approved course for state university of New York public safety officers issued in accordance with subdivision three of section eight hundred forty-one of the executive law, has satisfactorily completed relevant police officer training courses, as prescribed by the municipal police training council.

(b-1) A certificate awarded under paragraph (b) of this subdivision may be permanently invalidated upon an officer's removal for cause in accordance with subdivisions two and three of section eight hundred forty-five of the executive law. An officer whose certificate is invalidated under this paragraph may be ineligible for any future certification.

(c) As used in this subdivision, the term "interruption" shall mean a period of separation from employment as a police officer or peace officer who has an equivalency certificate for police officer training or an approved course for state university of New York public safety officers issued in accordance with subdivision three of section eight hundred forty-one of the executive law, by reason of such officer's leave of absence, resignation or removal, other than removal for cause.

1-a. Notwithstanding the provisions of any general, special or local law or charter, the promotion of any police officer to a first-line supervisory position on or after July first, nineteen hundred sixty-seven, shall not become permanent unless such police officer has previously been awarded a certificate by the executive director of the municipal police training council created under article nineteen-f of

the executive law, attesting to his satisfactory completion of an approved course in police supervision as prescribed by the municipal police training council. Any police officer who is promoted on any basis to a first-line supervisory position on or after July first, nineteen hundred sixty-seven shall forfeit such promotion unless he previously has satisfactorily completed, or within the time prescribed by regulations promulgated by the governor pursuant to section four hundred eighty-four of the executive law satisfactorily completes, the prescribed course in police supervision and is awarded a certificate by such director attesting thereto.

2. a. The term "police officer", as used in this section, shall mean a person defined as a police officer pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law who is appointed or employed by a county, city, town, village or police district.

b. The term "first-line supervisory position", as used in this section, shall mean the position or rank of a police officer next above the beginning rank of patrolman or the rank equivalent to patrolman, which requires performance of supervisory duties.

3. The provisions of subdivisions one and one-a of this section shall not apply to a city having a population of one million or more to the extent that such city has, by regulation promulgated by the governor pursuant to section eight hundred forty of the executive law, been exempted from the provisions of article thirty-five of the executive law.

4. Nothing in this section shall be construed to except any police officer, or other officer or employee from the provisions of the civil service law.