

DRAFT LBDC

A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend the criminal procedure law, the alcoholic beverage control law, the administrative code of the city of New York, the correction law, the civil rights law, the civil service law, the executive law, the general business law, the public authorities law, the public health law, the public officers law, the penal law, the tax law, the workers' compensation law and the general municipal law, in relation to peace officers; and to repeal certain provisions of the criminal procedure law relating thereto (Part __);

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

1 PART __

2 Section 1. Sections 2.10 and 2.16 of the criminal procedure law are
3 REPEALED and a new section 2.10 is added to read as follows:

4 § 2.10 Persons designated as peace officers.

5 1. Notwithstanding the provisions of any general, special or local law
6 or charter to the contrary, the following persons shall have the powers
7 of, and shall be peace officers and shall have the authority to carry,
8 possess, repair, or dispose of a firearm without an appropriate license
9 therefor issued pursuant to section 400.00 of the penal law, and
10 provided that such person shall exercise the powers of a peace officer
11 only when he or she is acting pursuant to his or her special duties:

12 (a) Parole officers and warrant officers.

13 (b) Probation officers.

14 (c) Officials of the department of corrections and community super-
15 vision and correction officers of any state correctional facility,

1 appointed and designated by the commissioner as a peace officer;
2 correction officers of any penal correctional institution appointed and
3 designated by the sheriff of a county as a peace officer; and cell block
4 attendants employed by a police department appointed and designated by
5 the head of a police department as a peace officer.

6 (d) Uniformed court officers, court clerks, marshalls, and deputy
7 marshalls of the unified court system; court security officers, mars-
8 halls or court attendants appointed and designated as peace officers by
9 a city, town, village or sheriff.

10 (e) Bridge and tunnel officers, sergeants and lieutenants of the
11 Triborough bridge and tunnel authority.

12 (f) The sheriff, undersheriff, and deputy sheriffs of the city of New
13 York and sworn officers of the Westchester county department of public
14 safety services appointed after January thirty-first, nineteen hundred
15 eighty-three to the title of public safety officer and who performs the
16 functions previously performed by a Westchester county deputy sheriff on
17 or prior to such date.

18 2. Notwithstanding the provisions of any general, special or local law
19 or charter to the contrary, the following persons shall have the powers
20 of, and shall be peace officers, provided however that nothing in this
21 subdivision shall be deemed to authorize such officers to carry,
22 possess, repair or dispose of a firearm unless the appropriate license
23 therefor has been issued pursuant to section 400.00 of the penal law
24 unless such person was appointed prior to the effective date of this
25 act, and provided that such person shall exercise the powers of a peace
26 officer only when he or she is acting pursuant to his or her special
27 duties:

1 (a) Constables or police constables of a town or village, provided
2 such designation is not inconsistent with local law and appointed and
3 designated by the town or village as peace officers.

4 (b) Bay constables of the village of Mamaroneck and the towns of Hemp-
5 stead, Oyster Bay, South Hampton, North Hempstead and Islip who prior to
6 April third, nineteen hundred ninety-eight served as harbormaster for
7 such town and whose position was reclassified as bay constable for such
8 town prior to such date, appointed and designated by the town as peace
9 officers.

10 (c) Harbor masters appointed and designated by a county, city, town or
11 village as peace officers.

12 (d) Officers or agents of a duly incorporated society for the
13 prevention of cruelty to animals.

14 (e) Persons employed by a state or county or political subdivision of
15 the state or county assigned to the investigation and enforcement of any
16 criminal or tax law and designated by the state or county subdivision as
17 a peace officer.

18 (f) Uniformed housing guards of the Buffalo municipal housing authori-
19 ty.

20 (g) Persons appointed and designated as peace officers by the Niagara
21 frontier transportation authority, pursuant to subdivision thirteen of
22 section twelve hundred ninety-nine-e of the public authorities law.

23 3. Notwithstanding the provisions of any general, special or local law
24 or charter to the contrary, the following persons shall have the powers
25 of, and shall be peace officers provided however that nothing in this
26 subdivision shall be deemed to authorize such officers to carry,
27 possess, repair or dispose of a firearm unless the appropriate license
28 therefor has been issued pursuant to section 400.00 of the penal law and

1 the employer has authorized such officer to possess a firearm during any
2 phase of the officer's on-duty employment and provided that such person
3 shall exercise the powers of a peace officer only when he or she is
4 acting pursuant to his or her special duties:

5 (a) Supervising fire inspectors, fire inspectors, fire marshalls,
6 chief fire marshalls, and assistant fire marshalls, fire prevention
7 employees, fire investigators employed by and appointed and designated
8 as a peace officer by the state, a county, city, town, village or fire
9 district when acting pursuant to their special duties in matters arising
10 under the laws relating to fires, the extinguishment thereof and fire
11 perils.

12 (b) Persons employed by a college, university, sheriff or police
13 department as members of the security force of such college or universi-
14 ty for the protection of grounds, buildings, and property, the
15 prevention of crime and enforcement of law and order and the enforcement
16 of such rules and regulations of such college or university when desig-
17 nated by the college or university as a peace officer. The geographic
18 area of employment for peace officers employed by the University of
19 Rochester shall include any public street and sidewalk that abuts the
20 grounds, buildings or property of such university. Special deputy sher-
21 iffs appointed by the sheriff of Tompkins county for the protection of
22 the grounds, buildings and property of Ithaca college may, when
23 requested by the sheriff, provide assistance on any public highway which
24 crosses or adjoins such property. Syracuse University peace officers
25 appointed by the chief law enforcement officer of the city of Syracuse
26 for the protection of the grounds, buildings and property of Syracuse
27 University may, when requested by the chief law enforcement officer of
28 the city of Syracuse or his or her designee, including by means of writ-

1 ten protocols agreed to by the chief law enforcement officer of the city
2 of Syracuse and Syracuse University, provide assistance on any public
3 highway which crosses or adjoins such grounds or premises. Nothing in
4 this paragraph shall be deemed to limit any of the specific training
5 requirements set forth in the education law.

6 (c) Parole revocation specialists in the department of corrections and
7 community supervision.

8 (d) The state inspector general and investigators designated by the
9 state inspector general.

10 (e) The welfare inspector general and investigators designated by the
11 welfare inspector general.

12 (f) The workers' compensation fraud inspector general and investi-
13 gators designated by the workers' compensation fraud inspector general.

14 (g) Parks, recreation, or forest rangers employed by and appointed and
15 designated as peace officers by the state, a county or a political
16 subdivision of the state or county.

17 (h) Officers or agents of a duly incorporated society for the
18 prevention of cruelty to children in Rockland county.

19 (i) Special policemen designated by the commissioner and the directors
20 of in-patient facilities in the office of mental health pursuant to
21 section 7.25 of the mental hygiene law, and special policemen designated
22 by the commissioner and the directors of facilities under his jurisdic-
23 tion in the office for people with developmental disabilities pursuant
24 to section 13.25 of the mental hygiene law.

25 (j) Persons designated as special policemen by the director of a
26 hospital in the department of health pursuant to section four hundred
27 fifty-five of the public health law.

1 (k) Uniformed enforcement forces of the New York state thruway author-
2 ity, when acting pursuant to subdivision two of section three hundred
3 sixty-one of the public authorities law.

4 (l) Employees of the department of health designated pursuant to
5 section thirty-three hundred eighty-five of the public health law.

6 (m) Bay constables of the city of Rye, the village of South Nyack and
7 bay constables of the towns of East Hampton, Riverhead, Southold, Islip,
8 Shelter Island, Brookhaven, Babylon, Smithtown and Huntington appointed
9 and designated by the town, city or village as peace officers.

10 (n) Patrolmen appointed and designated by the Lake George park commis-
11 sion as peace officers.

12 (o) Peace officers appointed and designated pursuant to the provisions
13 of the New York state defense emergency act, as set forth in chapter
14 seven hundred eighty-four of the laws of nineteen hundred fifty-one, as
15 amended, when acting pursuant to their special duties during a period of
16 attack or imminent attack by enemy forces, or during official drills
17 called to combat natural or man-made disasters, or during official
18 drills in preparation for an attack by enemy forces or in preparation
19 for a natural or man-made disaster; provided that such officer shall
20 have the powers set forth in section 2.20 of this article only during a
21 period of imminent or actual attack by enemy forces and during drills
22 authorized under section twenty-nine-b of the executive law, providing
23 for the use of civil defense forces in disasters. Notwithstanding any
24 other provision of law, such officers shall have the power to direct and
25 control traffic during official drills in preparation for an attack by
26 enemy forces or in preparation for combating natural or man-made disas-
27 ters; however, this grant does not include any of the other powers set
28 forth in section 2.20 of this article.

1 (p) New York city special patrolmen appointed by the police commis-
2 sioner provided, however, that nothing in this paragraph shall be deemed
3 to authorize such officer to carry a firearm for which the appropriate
4 license therefor has been issued pursuant to section 400.00 of the penal
5 law unless the employer has authorized such officer to possess a firearm
6 during any phase of the officers on-duty employment. Special patrolmen
7 shall have the powers set forth in section 2.20 of this article only
8 when they are acting pursuant to their special duties; provided, howev-
9 er, that the following categories of New York city special patrolmen
10 shall have such powers whether or not they are acting pursuant to their
11 special duties: school safety officers employed by the board of educa-
12 tion of the city of New York; parking control specialists, taxi and
13 limousine inspectors, urban park rangers and evidence and property
14 control specialists employed by the city of New York; and further
15 provided that, with respect to the aforementioned categories of New York
16 city special patrolmen, where such a special patrolman has been
17 appointed by the police commissioner and, upon the expiration of such
18 appointment the police commissioner has neither renewed such appointment
19 nor explicitly determined that such appointment shall not be renewed,
20 such appointment shall remain in full force and effect indefinitely,
21 until such time as the police commissioner expressly determines to
22 either renew or terminate such appointment.

23 (q) All officers and members of the uniformed force of the New York
24 city fire department as set forth and subject to any limitations
25 contained in the administrative code of the city of New York.

26 (r) Special policemen for horse racing, appointed and designated
27 pursuant to sections two hundred twenty-three, three hundred twelve and

1 four hundred twelve of the racing, pari-mutuel wagering and breeding
2 law.

3 (s) Waterfront and airport investigators, pursuant to subdivision four
4 of section 5-b of part II of the waterfront and airport commission act.

5 (t) Special patrolmen of a political subdivision, appointed pursuant
6 to section two hundred nine-v of the general municipal law.

7 (u) Special officers employed by the city of New York or by the New
8 York city health and hospitals corporation. The New York city health and
9 hospitals corporation shall employ peace officers appointed pursuant to
10 this subdivision to perform the patrol, investigation, and maintenance
11 of the peace duties of special officer, senior special officer and
12 hospital security officer, provided however that nothing in this para-
13 graph shall prohibit managerial, supervisory, or state licensed or
14 certified professional employees of the corporation from performing such
15 duties where they are incidental to their usual duties, or shall prohib-
16 it police officers employed by the city of New York from performing
17 these duties.

18 (v) Housing patrolmen of the Mount Vernon housing authority, appointed
19 and designated as peace officers and acting pursuant to rules of the
20 Mount Vernon housing authority.

21 (w) Persons appointed and designated as peace officers by the Sea Gate
22 Association pursuant to the provisions of chapter three hundred ninety-
23 one of the laws of nineteen hundred forty.

24 (x) New York state air base security guards when they are appointed
25 and designated as peace officers under military regulations promulgated
26 by the chief of staff to the governor and when performing their duties
27 as air base security guards pursuant to orders issued by appropriate
28 military authority.

1 (y) Members of the army national guard military police and air
2 national guard security personnel belonging to the organized militia of
3 the state of New York when they are appointed and designated as peace
4 officers under military regulations promulgated by the adjutant general
5 and when performing their duties as military policemen or air security
6 personnel pursuant to orders issued by appropriate military authority.

7 (z) Transportation supervisors in the city of White Plains appointed
8 and designated by the commissioner of public safety in the city of White
9 Plains as peace officers.

10 (aa) Security hospital treatment assistants, appointed and designated
11 by the commissioner of the office of mental health as peace officers
12 while performing duties in or arising out of the course of their employ-
13 ment.

14 (bb) Authorized agents of the municipal directors of weights and meas-
15 ures in the counties of Suffolk, Nassau and Westchester when acting
16 pursuant to their special duties as set forth in section one hundred
17 eighty-one of the agriculture and markets law.

18 (cc) Special policemen appointed and designated by a town as peace
19 officers pursuant to section one hundred fifty-eight of the town law.

20 (dd) Dog control and animal control officers appointed and designated
21 as peace officers by a political subdivision of the state.

22 (ee) Harbor park rangers employed by the Snug Harbor cultural center
23 in Richmond county and appointed as New York city special patrolmen by
24 the police commissioner pursuant to the administrative code of the city
25 of New York. Notwithstanding any provision of law, rule or regulation,
26 such officers shall be authorized to issue appearance tickets pursuant
27 to section 150.20 of this chapter, and shall have such other powers as

1 are specified in section 2.20 of this article only when acting pursuant
2 to their special duties.

3 (ff) Officers of the Westchester county public safety emergency force,
4 when activated by the commissioner of public safety or the sheriff of
5 the county of Westchester.

6 (gg) Uniformed members of the security force of the Troy housing
7 authority appointed and designated by the Troy housing authority as
8 peace officers.

9 (hh) Officers and members of the sanitation police of the department
10 of sanitation of the city of New York, duly appointed and designated as
11 peace officers by such department. Provided, further, that nothing in
12 this paragraph shall be deemed to apply to officers and members of the
13 sanitation police regularly and exclusively assigned to enforcement of
14 such city's residential recycling laws.

15 (ii) Employees of the office of children and family services assigned
16 to transport and warrants units who are specifically designated by the
17 director in accordance with section five hundred four-b of the executive
18 law.

19 (jj) Employees appointed and designated as peace officers by a sheriff
20 pursuant to their special duties serving as uniformed marine patrol
21 officers.

22 (kk) Airport security guards, senior airport security guards, airport
23 security supervisors, retired police officers, and supervisors of same,
24 who are appointed and designated by resolution of the town board of the
25 town of Islip to provide security at Long Island MacArthur Airport when
26 acting pursuant to their duties as such, and such authority being
27 specifically limited to the grounds of the said airport.

1 (ll) Members of the security force employed and appointed and desig-
2 nated as peace officers by Erie County Medical Center.

3 (mm) Employees of the New York city business integrity commission
4 appointed and designated as peace officers by the chairperson of such
5 commission.

6 (nn) Members of the security force employed by Kaleida Health within
7 and directly adjacent to the hospital buildings on the medical campus
8 located between East North Street, Goodell Street, Main Street and
9 Michigan Avenue. These officers shall only have the powers listed in
10 paragraph (c) of subdivision one of section 2.20 of this article, as
11 well as the power to detain an individual for a reasonable period of
12 time while awaiting the arrival of law enforcement, provided that the
13 officer has actual knowledge, or probable cause to believe, that such
14 individual has committed an offense.

15 (oo) Watershed protection and enforcement officers appointed by the
16 city of Peekskill. Such officers shall only have the powers set forth in
17 paragraphs (a), (b), (c), (f), (g), and (h) of subdivision one of
18 section 2.20 of this article and, notwithstanding paragraph (b) of
19 subdivision thirty-four-a of section 1.20 of this title and paragraph
20 (b) of subdivision five of section 140.25 of this chapter, watershed
21 protection and enforcement officers are authorized to make arrests and
22 issue appearance tickets in those areas of the Hollow Brook watershed
23 and Wiccopee reservoir located outside of the city of Peekskill in the
24 counties of Putnam and Westchester, including along its reservoirs,
25 shoreline, and tributaries.

26 (pp) A special investigator of the New York city department of inves-
27 tigation who has received training in firearm handling in the New York

1 police academy and has received a firearm permit from the license divi-
2 sion of the New York city police department.

3 § 2. Subdivision 23 of section 105 of the alcoholic beverage control
4 law, as added by section 1 of part F of chapter 85 of the laws of 2002,
5 is amended to read as follows:

6 23. All premises licensed under sections fifty-four, fifty-four-a,
7 sixty-three and seventy-nine of this chapter shall be subject to
8 inspection by any peace officer described in [subdivision four] para-
9 graph (e) of subdivision two of section 2.10 of the criminal procedure
10 law acting pursuant to his special duties, or police officer or any duly
11 authorized representative of the state liquor authority, during the
12 hours when the said premises are open for the transaction of business.

13 § 3. Paragraph 7 of subdivision a of section 10-131 of the administra-
14 tive code of the city of New York, as amended by chapter 195 of the laws
15 of 2005, is amended to read as follows:

16 7. A fee shall not be charged or collected for the issuance of a
17 license, or the renewal thereof, to have and carry concealed a pistol or
18 revolver which is issued upon the application of a qualified retired
19 police officer as defined in subdivision thirty-four of section 1.20 of
20 the criminal procedure law, or a qualified retired bridge and tunnel
21 officer, sergeant or lieutenant of the triborough bridge and tunnel
22 authority as defined under paragraph (e) of subdivision [twenty] one of
23 section 2.10 of the criminal procedure law, or a qualified retired
24 uniformed court officer in the unified court system, or a qualified
25 retired court clerk in the unified court system in the first and second
26 judicial departments, as defined in [paragraphs a and b of subdivision
27 twenty-one] paragraph (d) of subdivision one of section 2.10 of the
28 criminal procedure law or a retired correction officer as defined in

1 [subdivision twenty-five] paragraph (c) of subdivision one of section
2 2.10 of the criminal procedure law or a qualified retired sheriff,
3 undersheriff or deputy sheriff of the city of New York as defined under
4 paragraph (f) of subdivision [two] one of section 2.10 of the criminal
5 procedure law.

6 § 4. Subdivision (a) of section 11-4021 of the administrative code of
7 the city of New York, as amended by chapter 556 of the laws of 2011, is
8 amended to read as follows:

9 (a) Whenever a police officer designated in section 1.20 of the crimi-
10 nal procedure law or a peace officer designated in paragraph (e) of
11 subdivision [five] two of section 2.10 of such law, acting pursuant to
12 his special duties, shall discover any cigarettes subject to any tax
13 provided by chapter thirteen of this title, and upon which the tax has
14 not been paid or the stamps not affixed as required by such chapter,
15 they are hereby authorized and empowered forthwith to seize and take
16 possession of such cigarettes, together with any vending machine or
17 receptacle in which they are held for sale. Such cigarettes, vending
18 machine or receptacle seized by a police officer or such peace officer
19 shall be turned over to the commissioner of finance.

20 § 5. Paragraph 2 of subdivision (c) of section 11-4023 of the adminis-
21 trative code of the city of New York, as added by local law number 97 of
22 the city of New York for the year 2013, is amended to read as follows:

23 (2) Ten days after the date of such posting, and upon the written
24 directive of the commissioner, police officers designated in section
25 1.20 of the criminal procedure law and peace officers employed by the
26 department of finance, including but not limited to the sheriff, under-
27 sheriff and deputy sheriffs of the city of New York designated as peace
28 officers in paragraph (f) of subdivision [two] one of section 2.10 of

1 the criminal procedure law, are authorized to act upon and enforce such
2 orders.

3 § 6. Subdivision (a) of section 11-4024 of the administrative code of
4 the city of New York, as added by local law number 97 of the city of New
5 York for the year 2013, is amended to read as follows:

6 (a) Whenever a police officer designated in section 1.20 of the crimi-
7 nal procedure law or a peace officer employed by the department of
8 finance, including but not limited to the sheriff, undersheriff or depu-
9 ty sheriffs of the city of New York designated as peace officers in
10 paragraph (f) of subdivision [two] one of section 2.10 of the criminal
11 procedure law, shall discover (1) any cigarettes subject to any tax
12 provided by chapter thirteen of this title, and upon which the tax has
13 been paid and the stamps affixed as required by such chapter, but such
14 cigarettes are sold, offered for sale or possessed by a person in
15 violation of section 11-1303, 17-703 or 20-202 of this code, or (2) any
16 flavored tobacco product that is sold, offered for sale or possessed
17 with intent to sell in violation of section 17-715 of this code, he or
18 she is hereby authorized and empowered forthwith to seize and take
19 possession of such cigarettes or flavored tobacco product, together with
20 any vending machine or receptacle in which such cigarettes or flavored
21 tobacco product are held for sale. Such cigarettes or flavored tobacco
22 product, vending machine or receptacle seized by such police officer or
23 such peace officer shall be turned over to the commissioner of finance.

24 § 7. Subdivision c of section 12-121 of the administrative code of the
25 city of New York, as added by chapter 427 of the laws of 2000, is
26 amended to read as follows:

27 c. City residence shall not be required as a condition of employment
28 for campus peace officers level I, level II and level III, as defined by

1 paragraph (p) of subdivision [twenty-seven] three of section 2.10 of the
2 criminal procedure law, employed by the city university of New York
3 before the effective date of this subdivision.

4 § 8. Subdivision a of section 17-182 of the administrative code of the
5 city of New York, as amended by local law number 22 of the city of New
6 York for the year 2002, is amended to read as follows:

7 a. Any corporation of government, the expenses of which are paid in
8 whole or in part from the city treasury, which provides health and
9 medical services and operates health facilities and which is authorized
10 to employ special officers having peace officer status as defined in
11 [New York Criminal Procedure Law § 2.10(40)] paragraph (u) of subdivi-
12 sion three of section 2.10 of the criminal procedure law, shall utilize
13 peace officers appointed pursuant to said subdivision to perform the
14 duties of special officer, senior special officer and hospital security
15 officer. The commissioner of the department of health and mental hygiene
16 shall enforce this requirement.

17 § 9. Subdivision 1 of section 120 of the correction law, as added by
18 chapter 202 of the laws of 2007, is amended to read as follows:

19 1. Except as provided in subdivisions two, three and four of this
20 section, the duty of maintaining the custody and supervision of persons
21 detained or confined in a correctional facility as defined in subdivi-
22 sion four of section two of this chapter, including a drug treatment
23 campus as defined in subdivision twenty of section two of this chapter,
24 or a local correctional facility as defined in subdivision sixteen of
25 section two of this chapter shall be performed solely by police officers
26 designated in paragraph (a), (b), (c), (d), (e), (g), (j) or (m) of
27 subdivision thirty-four of section 1.20 of the criminal procedure law or
28 peace officers designated in [subdivision twenty-five] paragraph (c) of

1 subdivision one of section 2.10 of the criminal procedure law, which
2 persons, whether employed full-time or part-time, shall be in the
3 competitive, non-competitive or exempt class of the civil service of New
4 York state as determined by state law or by the state or applicable
5 local civil service commission.

6 § 10. Paragraph (q) of subdivision 34 of section 1.20 of the criminal
7 procedure law, as amended by section 55 of part K of chapter 61 of the
8 laws of 2011, is amended to read as follows:

9 (q) An employee of the department of taxation and finance (i) assigned
10 to enforcement of the taxes imposed under or pursuant to the authority
11 of article twelve-A of the tax law and administered by the commissioner
12 of taxation and finance, taxes imposed under or pursuant to the authori-
13 ty of article eighteen of the tax law and administered by the commis-
14 sioner, taxes imposed under article twenty of the tax law, or sales or
15 compensating use taxes relating to petroleum products or cigarettes
16 imposed under article twenty-eight or pursuant to the authority of arti-
17 cle twenty-nine of the tax law and administered by the commissioner or
18 (ii) [designated as a revenue crimes specialist and] assigned to the
19 enforcement of [the] taxes [described in] pursuant to paragraph [(c) of
20 subdivision four] (e) of subdivision two of section 2.10 of this title,
21 for the purpose of applying for and executing search warrants under
22 article six hundred ninety of this chapter, for the purpose of acting as
23 a claiming agent under article thirteen-A of the civil practice law and
24 rules in connection with the enforcement of the taxes referred to above
25 and for the purpose of [executing warrants of arrest relating to the
26 respective crimes specified in subdivision four] investigating or
27 enforcing a criminal law pursuant to paragraph (e) of subdivision two of
28 section 2.10 of this title.

1 § 11. Subdivision 1 of section 50-a of the civil rights law, as
2 amended by chapter 516 of the laws of 2014, is amended to read as
3 follows:

4 1. All personnel records used to evaluate performance toward continued
5 employment or promotion, under the control of any police agency or
6 department of the state or any political subdivision thereof including
7 authorities or agencies maintaining police forces of individuals defined
8 as police officers in section 1.20 of the criminal procedure law and
9 such personnel records under the control of a sheriff's department or a
10 department of correction of individuals employed as correction officers
11 and such personnel records under the control of a paid fire department
12 or force of individuals employed as firefighters or
13 firefighter/paramedics and such personnel records under the control of
14 the department of corrections and community supervision for individuals
15 defined as peace officers pursuant to [subdivisions twenty-three and
16 twenty-three-a] paragraphs (a) and (b) of subdivision one of section
17 2.10 of the criminal procedure law and such personnel records under the
18 control of a probation department for individuals defined as peace offi-
19 cers pursuant to paragraph (b) of subdivision [twenty-four] one of
20 section 2.10 of the criminal procedure law shall be considered confiden-
21 tial and not subject to inspection or review without the express written
22 consent of such police officer, firefighter, firefighter/paramedic,
23 correction officer or peace officer within the department of corrections
24 and community supervision or probation department except as may be
25 mandated by lawful court order.

26 § 12. Subdivision 1 of section 50-d of the civil rights law, as added
27 by chapter 517 of the laws of 1992, is amended to read as follows:

1 1. As used in this section, "personnel records of court officers"
2 means all personnel records of court officers as defined in [paragraph a
3 of] paragraph (d) of subdivision [twenty-one] one of section 2.10 of the
4 criminal procedure law, used to evaluate performance toward continued
5 employment or promotion, and under the control of the office of court
6 administration.

7 § 13. Subdivision 1 of section 50-e of the civil rights law, as added
8 by chapter 578 of the laws of 1993, is amended to read as follows:

9 1. As used in this section, "personnel records of bridge and tunnel
10 officers, sergeants and lieutenants" means all personnel records of
11 bridge and tunnel officers, sergeants and lieutenants as defined in
12 paragraph (e) of subdivision [twenty] one of section 2.10 of the crimi-
13 nal procedure law, used to evaluate performance toward continued employ-
14 ment or promotion, and under the control of the Triborough bridge and
15 tunnel authority.

16 § 14. The opening paragraph of paragraph i of subdivision 1 of section
17 130 of the civil service law, as added by chapter 257 of the laws of
18 2012, is amended to read as follows:

19 Pursuant to the terms of an agreement between the state and an employ-
20 ee organization entered into pursuant to article fourteen of this chap-
21 ter covering members of the collective negotiating unit designated as
22 security supervisors who are employed by the state department of
23 corrections and community supervision and are designated as peace offi-
24 cers pursuant to paragraph (c) of subdivision [twenty-five] one of
25 section 2.10 of the criminal procedure law, effective on the dates indi-
26 cated, salary grades for positions in the competitive, non-competitive
27 and labor classes shall be as follows:

1 § 15. Subdivision 2 and the opening paragraph and paragraph (f) of
2 subdivision 4 of section 209 of the civil service law, as amended by
3 section 64 of subpart B of part C of chapter 62 of the laws of 2011, are
4 amended to read as follows:

5 2. Public employers are hereby empowered to enter into written agree-
6 ments with recognized or certified employee organizations setting forth
7 procedures to be invoked in the event of disputes which reach an impasse
8 in the course of collective negotiations. Such agreements may include
9 the undertaking by each party to submit unresolved issues to impartial
10 arbitration. In the absence or upon the failure of such procedures,
11 public employers and employee organizations may request the board to
12 render assistance as provided in this section, or the board may render
13 such assistance on its own motion, as provided in subdivision three of
14 this section, or, in regard to officers or members of any organized fire
15 department, or any unit of the public employer which previously was a
16 part of an organized fire department whose primary mission includes the
17 prevention and control of aircraft fires, police force or police depart-
18 ment of any county, city, town, village or fire or police district, or
19 detective-investigators, or rackets investigators employed in the office
20 of a district attorney of a county, or in regard to any organized unit
21 of troopers, commissioned or noncommissioned officers of the division of
22 state police, or in regard to investigators, senior investigators and
23 investigator specialists of the division of state police, or in regard
24 to members of collective negotiating units designated as security
25 services and security supervisors who are police officers, who are
26 forest ranger captains or who are employed by the state department of
27 corrections and community supervision and are designated as peace offi-
28 cers pursuant to paragraph (c) of subdivision [twenty-five] one of

1 section 2.10 of the criminal procedure law, or in regard to members of
2 the collective negotiating unit designated as the agency law enforcement
3 services unit who are police officers pursuant to subdivision thirty-
4 four of section 1.20 of the criminal procedure law or who are forest
5 rangers, or in regard to organized units of deputy sheriffs who are
6 engaged directly in criminal law enforcement activities that aggregate
7 more than fifty per centum of their service as certified by the county
8 sheriff and are police officers pursuant to subdivision thirty-four of
9 section 1.20 of the criminal procedure law as certified by the municipal
10 police training council or Suffolk county correction officers or Suffolk
11 county park police, as provided in subdivision four of this section.

12 On request of either party or upon its own motion, as provided in
13 subdivision two of this section, and in the event the board determines
14 that an impasse exists in collective negotiations between such employee
15 organization and a public employer as to the conditions of employment of
16 officers or members of any organized fire department, or any other unit
17 of the public employer which previously was a part of an organized fire
18 department whose primary mission includes the prevention and control of
19 aircraft fires, police force or police department of any county, city,
20 town, village or fire or police district, and detective-investigators,
21 criminal investigators or rackets investigators employed in the office
22 of a district attorney, or as to the conditions of employment of members
23 of any organized unit of troopers, commissioned or noncommissioned offi-
24 cers of the division of state police or as to the conditions of employ-
25 ment of members of any organized unit of investigators, senior investi-
26 gators and investigator specialists of the division of state police, or
27 as to the terms and conditions of employment of members of collective
28 negotiating units designated as security services and security supervi-

1 sors, who are police officers, who are forest ranger captains or who are
2 employed by the state department of corrections and community super-
3 vision and are designated as peace officers pursuant to paragraph (c) of
4 subdivision [twenty-five] one of section 2.10 of the criminal procedure
5 law, or in regard to members of the collective negotiating unit desig-
6 nated as the agency law enforcement services unit who are police offi-
7 cers pursuant to subdivision thirty-four of section 1.20 of the criminal
8 procedure law or who are forest rangers, or as to the conditions of
9 employment of any organized unit of deputy sheriffs who are engaged
10 directly in criminal law enforcement activities that aggregate more than
11 fifty per centum of their service as certified by the county sheriff and
12 are police officers pursuant to subdivision thirty-four of section 1.20
13 of the criminal procedure law as certified by the municipal police
14 training council or Suffolk county correction officers or Suffolk county
15 park police, the board shall render assistance as follows:

16 (f) With regard to any members of collective negotiating units desig-
17 nated as security services or security supervisors, who are police offi-
18 cers, who are forest ranger captains or who are employed by the state
19 department of corrections and community supervision and are designated
20 as peace officers pursuant to paragraph (c) of subdivision [twenty-five]
21 one of section 2.10 of the criminal procedure law, or in regard to
22 members of the collective negotiating unit designated as the agency law
23 enforcement services unit who are police officers pursuant to subdivi-
24 sion thirty-four of section 1.20 of the criminal procedure law or who
25 are forest rangers, or in regard to detective-investigators, criminal
26 investigators or rackets investigators employed in the office of a
27 district attorney of a county contained within a city with a population
28 of one million or more, the provisions of this section shall only apply

1 to the terms of collective bargaining agreements directly relating to
2 compensation, including, but not limited to, salary, stipends, location
3 pay, insurance, medical and hospitalization benefits; and shall not
4 apply to non-compensatory issues including, but not limited to, job
5 security, disciplinary procedures and actions, deployment or scheduling,
6 or issues relating to eligibility for overtime compensation which shall
7 be governed by other provisions proscribed by law.

8 § 16. Paragraph d of subdivision 8 of section 156-c of the executive
9 law, as amended by section 4 of part A of chapter 101 of the laws of
10 2013, is amended to read as follows:

11 d. Whenever any police officer designated in section 1.20 of the crim-
12 inal procedure law or a peace officer designated in paragraph (a) of
13 subdivision [four and subdivision seventy-nine pertaining to the Office
14 of Fire Prevention and Control,] three of section 2.10 of such law and
15 employed by the Office of Fire Prevention and Control, acting pursuant
16 to his or her special duties, shall discover any cigarettes which have
17 not been marked in the manner required by subdivision six of this
18 section, such officer is hereby authorized and empowered to seize and
19 take possession of such cigarettes. Such seized cigarettes shall be
20 turned over to the commissioner of taxation and finance, and shall be
21 forfeited to the state. Cigarettes seized pursuant to this section shall
22 be destroyed.

23 § 17. Subdivision 4 of section 89-n of the general business law, as
24 amended by chapter 221 of the laws of 2003, is amended to read as
25 follows:

26 4. The provisions of this section shall not apply to a security guard
27 who is:

1 a. a correction officer of any state correctional facility having the
2 powers of a peace officer pursuant to paragraph (c) of subdivision
3 [twenty-five] one of section 2.10 of the criminal procedure law;

4 b. a bridge and tunnel officer, sergeant or lieutenant of the Tribor-
5 ough bridge and tunnel authority having the powers of a peace officer
6 pursuant to paragraph (e) of subdivision [twenty] one of section 2.10
7 the criminal procedure law;

8 c. a uniformed court officer of the unified court system having the
9 powers of a peace officer pursuant to paragraph (d) of subdivision
10 [twenty-one] one of section 2.10 of the criminal procedure law;

11 d. a court clerk having the powers of a peace officer pursuant to
12 paragraph (d) of subdivision [twenty-one] one of section 2.10 of the
13 criminal procedure law;

14 e. a deputy sheriff having the powers of a peace officer pursuant to
15 paragraph (f) of subdivision [two] one of section 2.10 the criminal
16 procedure law;

17 f. a police officer as defined in paragraphs (a), (b), (c), (d), (e),
18 (f), (j), (k), (l), (o) and (p) of subdivision thirty-four of section
19 1.20 of the criminal procedure law who has been retired from such
20 employment for a period not to exceed ten years, provided, however, that
21 a retired police officer who has been retired from such employment for a
22 period in excess of ten years shall be required to provide proof to his
23 or her security guard employer of his or her satisfactory completion of
24 an eight hour annual in-service training course approved by the commis-
25 sioner, and provided further, however, that a retired police officer who
26 will be required by his or her security guard employer to carry a
27 firearm or will be authorized to have access to a firearm shall provide
28 to such employer proof of his or her satisfactory completion of a

1 forty-seven hour firearms training course approved by the commissioner
2 and, if such firearms training course has not been completed within one
3 year prior to such employment, satisfactory completion of an additional
4 eight hour annual firearms in-service training course approved by the
5 commissioner, such training course to be completed at least annually; or
6 g. a peace officer as defined in [subdivisions two, twenty and twen-
7 ty-five and paragraphs a and b of subdivision twenty-one] paragraphs
8 (c), (d), (e), and (f) of subdivision one of section 2.10 of the crimi-
9 nal procedure law who has been retired from such employment for a period
10 not to exceed ten years, provided, however, that a retired peace officer
11 who has been retired from such employment for a period in excess of ten
12 years shall be required to provide proof to his or her security guard
13 employer of his or her satisfactory completion of an eight hour annual
14 in-service training course approved by the municipal police training
15 council, and provided further, however, that a retired peace officer who
16 will be required by his or her security guard employer to carry a
17 firearm or will be authorized to have access to a firearm shall provide
18 to such employer proof of his or her satisfactory completion of a
19 forty-seven hour firearms training course approved by the municipal
20 police training council and, if such firearms training course has not
21 been completed within one year prior to employment, satisfactory
22 completion of an additional eight hour annual firearms in-service train-
23 ing course approved by the municipal police training council, such
24 training course to be completed at least annually.

25 § 18. Subdivision 13 of section 1299-e of the public authorities law,
26 as amended by chapter 816 of the laws of 1984, is amended to read as
27 follows:

1 13. To appoint or designate one or more persons for the purpose of
2 enforcing rules and regulations established by the authority, and to
3 compel the observance of law and order on the properties, facilities and
4 improvements of the authority for the protection and administration of
5 such property, facilities and improvements, and the traveling public
6 using such facilities. Each person as and when so appointed or desig-
7 nated shall be known as (a) a "Niagara frontier transportation authority
8 security officer or patrolman" and shall be a peace officer as set forth
9 in paragraph (g) of subdivision [forty-five] two of section 2.10 of the
10 criminal procedure law, or a police officer within the purview of subdi-
11 vision thirty-four of section 1.20 of the criminal procedure law or (b)
12 a "ticket inspector" and shall not be a peace officer or a police offi-
13 cer but, when so designated or appointed, shall be authorized to issue
14 and serve appearance tickets pursuant to section 150.20 of the criminal
15 procedure law with respect to violations of rules and regulations so
16 established.

17 § 19. Subdivision 4 of section 1399-11 of the public health law, as
18 added by chapter 262 of the laws of 2000, is amended to read as follows:

19 4. Whenever a police officer designated in section 1.20 of the crimi-
20 nal procedure law or a peace officer designated in paragraph (e) of
21 subdivision [four] two of section 2.10 of such law, acting pursuant to
22 his or her special duties, shall discover any cigarettes which have been
23 or which are being shipped or transported in violation of this section,
24 such person is hereby empowered and authorized to seize and take
25 possession of such cigarettes, and such cigarettes shall be subject to a
26 forfeiture action pursuant to the procedures provided for in article
27 thirteen-A of the civil practice law and rules, as if such article

1 specifically provided for forfeiture of cigarettes seized pursuant to
2 this section as a pre-conviction forfeiture crime.

3 § 20. Subdivisions 4, 5 and 7 of section 3-b of the public officers
4 law, subdivision 4 as added by chapter 404 of the laws of 2011, subdivi-
5 sion 5 as added by chapter 8 of the laws of 2013 and subdivision 7 as
6 added by chapter 418 of the laws of 2014, are amended to read as
7 follows:

8 4. Neither the provisions of this section or of any general, special
9 or local law, charter, code, ordinance, resolution, rule or regulation,
10 requiring a person to be a resident of the political subdivision or
11 municipal corporation of the state by which he or she is employed, shall
12 apply to a person employed by a city with a population of over one
13 million in the titles of special officer, senior special officer, prin-
14 cipal special officer and supervising special officer as "special offi-
15 cer" is defined in paragraph (u) of subdivision [forty] three of section
16 2.10 of the criminal procedure law, evidence and property control
17 specialists, taxi and limousine inspector, taxi and limousine inspector
18 (motor vehicles), senior taxi and limousine inspector, senior taxi and
19 limousine inspector (motor vehicles), associate taxi and limousine
20 inspector, supervising taxi and limousine inspector, supervising taxi
21 and limousine inspector (motor vehicles), education facilities officers
22 L1 (formerly school guards), education facilities officers L2 (formerly
23 school safety officers), hospital security officers, campus security
24 officer, campus peace officer, college security specialist, campus
25 public safety sergeant, campus security assistant or school guard
26 (school safety agent), provided that he or she has completed two years
27 of employment with the city of New York and is a resident of New York,

1 Kings, Queens, Bronx, Richmond, Nassau, Westchester, Suffolk, Orange,
2 Rockland or Putnam county.

3 5. In respect to peace officers employed by Cornell university, and
4 assigned to the Ithaca campus, pursuant to section fifty-seven hundred
5 nine of the education law, the provisions of this section requiring a
6 person to be a resident of the same county as the appointing official
7 shall not prevent a person from serving as a peace officer for Cornell
8 university, or as a special deputy sheriff, and assigned to the Ithaca
9 campus, as defined in paragraph (b) of subdivision [forty-two] three of
10 section 2.10 of the criminal procedure law, provided that such person
11 resides in the state of New York.

12 7. Neither the provisions of this section or of any general, special
13 or local law, charter, code, ordinance, resolution, rule or regulation,
14 requiring a person to be a resident of the political subdivision or
15 municipal corporation of the state for which he or she shall be employed
16 or appointed or within which his or her official functions are required
17 to be exercised, shall apply to a person who is a member of the security
18 force employed or appointed by Kaleida Health as described in paragraph
19 (nn) of subdivision [eighty-three] three of section 2.10 of the criminal
20 procedure law, provided that such person resides in the county in which
21 such security force of Kaleida Health is located or an adjoining county
22 within the state. The provisions of this subdivision shall only apply to
23 a person who is a member of the security force employed by Kaleida
24 Health on the effective date of this subdivision.

25 § 21. Subdivision 20 of section 10.00 of the penal law, as added by
26 chapter 765 of the laws of 2005, is amended to read as follows:

27 20. For purposes of sections 120.13, 120.18, 125.11, 125.21 and 125.22
28 of this chapter, the term "peace officer" means a peace officer as

1 defined in [subdivision one, two, three, four, six, twelve, thirteen,
2 fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one,
3 twenty-three, twenty-three-a, twenty-four, twenty-five, twenty-six,
4 twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-four,
5 thirty-five, thirty-six, forty-three, forty-five, forty-seven, forty-
6 eight, forty-nine, fifty-one, fifty-two, fifty-eight, sixty-one, as
7 added by chapter two hundred fifty-seven of the laws of nineteen hundred
8 ninety-two, sixty-one, as added by chapter three hundred twenty-one of
9 the laws of nineteen hundred ninety-two, sixty-two, as added by chapter
10 two hundred four of the laws of nineteen hundred ninety-three, sixty-
11 two, as added by chapter six hundred eighty-seven of the laws of nine-
12 teen hundred ninety-three, sixty-three, as amended by chapter six
13 hundred thirty-eight of the laws of two thousand three, sixty-four,
14 sixty-five, sixty-eight, as added by chapter one hundred sixty-eight of
15 the laws of two thousand, sixty-eight, as added by chapter three hundred
16 eighty-one of the laws of two thousand, seventy, seventy-one, seventy-
17 four, as added by chapter five hundred forty-eight of the laws of two
18 thousand one, seventy-five, as added by chapter three hundred twenty-one
19 of the laws of two thousand two, seventy-five, as added by chapter six
20 hundred twenty-three of the laws of two thousand two, seventy-seven, as
21 added by chapter three hundred sixty-seven of the laws of two thousand
22 four, seventy-eight or seventy-nine, as added by chapter two hundred
23 forty-one of the laws of two thousand four,] paragraphs (a), (b), (c),
24 (d), (e), and (f) of subdivision one, paragraphs (a), (c), (e), (f),
25 (g), and (n) of subdivision two and paragraphs (a), (b), (c), (i), (j),
26 (k), (l), (m), (p), (q), (r), (s), (x), (y), (aa), (gg), and (kk) of
27 subdivision three of section 2.10 of the criminal procedure law, as well

1 as any federal law enforcement officer defined in section 2.15 of the
2 criminal procedure law.

3 § 22. Subparagraph (ii) of paragraph (a) of subdivision 1 of section
4 125.26 of the penal law, as added by chapter 765 of the laws of 2005, is
5 amended to read as follows:

6 (ii) the intended victim was a peace officer as defined in [paragraph
7 a of subdivision twenty-one, subdivision twenty-three, twenty-four or
8 sixty-two (employees of the division for youth)] paragraph (a), (b) or
9 (d) of subdivision one of section 2.10 of the criminal procedure law who
10 was at the time of the killing engaged in the course of performing his
11 or her official duties, and the defendant knew or reasonably should have
12 known that the victim was such a uniformed court officer, parole offi-
13 cer, or probation officer[, or employee of the division for youth]; or

14 § 23. Subparagraph (ii) of paragraph (a) of subdivision 1 of section
15 125.27 of the penal law, as amended by chapter 1 of the laws of 1995, is
16 amended to read as follows:

17 (ii) the intended victim was a peace officer as defined in [paragraph
18 a of subdivision twenty-one, subdivision twenty-three, twenty-four or
19 sixty-two (employees of the division for youth)] paragraph (a), (b) or
20 (d) of subdivision one of section 2.10 of the criminal procedure law who
21 was at the time of the killing engaged in the course of performing his
22 official duties, and the defendant knew or reasonably should have known
23 that the intended victim was such a uniformed court officer, parole
24 officer, or probation officer[, or employee of the division for youth];
25 or

26 § 24. Subdivisions 6 and 14 of section 400.00 of the penal law, subdi-
27 vision 6 as amended by chapter 318 of the laws of 2002, subdivision 14

1 as amended by chapter 195 of the laws of 2005, are amended to read as
2 follows:

3 6. License: validity. Any license issued pursuant to this section
4 shall be valid notwithstanding the provisions of any local law or ordi-
5 nance. No license shall be transferable to any other person or prem-
6 ises. A license to carry or possess a pistol or revolver, not otherwise
7 limited as to place or time of possession, shall be effective throughout
8 the state, except that the same shall not be valid within the city of
9 New York unless a special permit granting validity is issued by the
10 police commissioner of that city. Such license to carry or possess shall
11 be valid within the city of New York in the absence of a permit issued
12 by the police commissioner of that city, provided that (a) the firearms
13 covered by such license have been purchased from a licensed dealer with-
14 in the city of New York and are being transported out of said city
15 forthwith and immediately from said dealer by the licensee in a locked
16 container during a continuous and uninterrupted trip; or provided that
17 (b) the firearms covered by such license are being transported by the
18 licensee in a locked container and the trip through the city of New York
19 is continuous and uninterrupted; or provided that (c) the firearms
20 covered by such license are carried by armored car security guards
21 transporting money or other valuables, in, to, or from motor vehicles
22 commonly known as armored cars, during the course of their employment;
23 or provided that (d) the licensee is a retired police officer as police
24 officer is defined pursuant to subdivision thirty-four of section 1.20
25 of the criminal procedure law or a retired federal law enforcement offi-
26 cer, as defined in section 2.15 of the criminal procedure law, who has
27 been issued a license by an authorized licensing officer as defined in
28 subdivision ten of section 265.00 of this chapter; provided, further,

1 however, that if such license was not issued in the city of New York it
2 must be marked "Retired Police Officer" or "Retired Federal Law Enforce-
3 ment Officer", as the case may be, and, in the case of a retired officer
4 the license shall be deemed to permit only police or federal law
5 enforcement regulations weapons; or provided that (e) the licensee is a
6 peace officer described in paragraph (e) of subdivision [four] two of
7 section 2.10 of the criminal procedure law and the license, if issued by
8 other than the city of New York, is marked "New York State Tax Depart-
9 ment Peace Officer" and in such case the exemption shall apply only to
10 the firearm issued to such licensee by the department of taxation and
11 finance. A license as gunsmith or dealer in firearms shall not be valid
12 outside the city or county, as the case may be, where issued.

13 14. Fees. In the city of New York and the county of Nassau, the annual
14 license fee shall be twenty-five dollars for gunsmiths and fifty dollars
15 for dealers in firearms. In such city, the city council and in the coun-
16 ty of Nassau the Board of Supervisors shall fix the fee to be charged
17 for a license to carry or possess a pistol or revolver and provide for
18 the disposition of such fees. Elsewhere in the state, the licensing
19 officer shall collect and pay into the county treasury the following
20 fees: for each license to carry or possess a pistol or revolver, not
21 less than three dollars nor more than ten dollars as may be determined
22 by the legislative body of the county; for each amendment thereto, three
23 dollars, and five dollars in the county of Suffolk; and for each license
24 issued to a gunsmith or dealer in firearms, ten dollars. The fee for a
25 duplicate license shall be five dollars. The fee for processing a
26 license transfer between counties shall be five dollars. The fee for
27 processing a license or renewal thereof for a qualified retired police
28 officer as defined under subdivision thirty-four of section 1.20 of the

1 criminal procedure law, or a qualified retired sheriff, undersheriff, or
2 deputy sheriff of the city of New York as defined under paragraph (f) of
3 subdivision [two] one of section 2.10 of the criminal procedure law, or
4 a qualified retired bridge and tunnel officer, sergeant or lieutenant of
5 the triborough bridge and tunnel authority as defined under paragraph
6 (e) of subdivision [twenty] one of section 2.10 of the criminal proce-
7 dure law, or a qualified retired uniformed court officer in the unified
8 court system, or a qualified retired court clerk in the unified court
9 system [in the first and second judicial departments], as defined in
10 [paragraphs a and b] paragraph (d) of subdivision [twenty-one] one of
11 section 2.10 of the criminal procedure law or a retired correction offi-
12 cer as defined in paragraph (c) of subdivision [twenty-five] one of
13 section 2.10 of the criminal procedure law shall be waived in all coun-
14 ties throughout the state.

15 § 25. Paragraph 3 of subdivision (a) of section 1815 of the tax law,
16 as amended by section 29 of subpart I of part V1 of chapter 57 of the
17 laws of 2009, is amended to read as follows:

18 (3) For the purposes of conferring jurisdiction upon courts and police
19 officers, and on the officers specified in paragraph (e) of subdivision
20 [four] two of section 2.10 of the criminal procedure law and on judicial
21 officers generally, such violations shall be deemed traffic infractions
22 and for such purpose only all provisions of law relating to traffic
23 infractions shall apply to such violations; provided, however, that the
24 commissioner of motor vehicles, any hearing officer appointed by him, or
25 any administrative tribunal authorized to hear and determine any charges
26 or offenses which are traffic infractions shall not have jurisdiction of
27 such infractions.

1 § 26. Subdivision (a) of section 1845 of the tax law, as added by
2 chapter 508 of the laws of 1993, is amended to read as follows:

3 (a) Temporary seizure. Whenever a police officer designated in section
4 1.20 of the criminal procedure law or a peace officer designated in
5 paragraph (e) of subdivision [four] two of section 2.10 of such law,
6 acting pursuant to his special duties, shall discover more than ninety
7 liters of liquors which are being imported for sale or use in the state,
8 where the person importing or causing such liquors to be imported is not
9 registered as a distributor under section four hundred twenty-one of
10 this chapter, such police officer or peace officer is hereby authorized
11 to seize and take possession of such liquors, and to seize and take
12 possession of the vehicle or other means of transportation used to
13 transport such liquors.

14 § 27. Subdivisions (a) and (a-1) of section 1846 of the tax law, as
15 amended by chapter 556 of the laws of 2011, are amended to read as
16 follows:

17 (a) Whenever a police officer designated in section 1.20 of the crimi-
18 nal procedure law or a peace officer designated in paragraph (e) of
19 subdivision [four] two of section 2.10 of such law, acting pursuant to
20 his or her special duties, shall discover any cigarettes subject to tax
21 provided by article twenty of this chapter or by chapter thirteen of
22 title eleven of the administrative code of the city of New York, and
23 upon which the tax has not been paid or the stamps not affixed as
24 required by such article or such chapter thirteen, they are hereby
25 authorized and empowered forthwith to seize and take possession of such
26 cigarettes, together with any vending machine or receptacle in which
27 they are held for sale. Such cigarettes, vending machine or receptacle
28 seized by a police officer or such peace officer shall be turned over to

1 the commissioner. Such seized cigarettes, vending machine or receptacle,
2 not including money contained in such vending machine or receptacle,
3 shall be forfeited to the state. The commissioner may, within a reason-
4 able time thereafter, upon publication of a notice to such effect for at
5 least five successive days, before the day of sale, in a newspaper
6 published or circulated in the county where the seizure was made, sell
7 such forfeited vending machines or receptacles at public sale and pay
8 the proceeds into the state treasury to the credit of the general fund.
9 Notwithstanding any other provision of this section, the commissioner
10 may enter into an agreement with any city of this state which is author-
11 ized to impose a tax similar to that imposed by article twenty of this
12 chapter to provide for the disposition between the state and any such
13 city of the proceeds from any such sale. All cigarettes forfeited to
14 the state shall be destroyed or used for law enforcement purposes,
15 except that cigarettes that violate, or are suspected of violating,
16 federal trademark laws or import laws shall not be used for law enforce-
17 ment purposes. If the commissioner determines the cigarettes may not be
18 used for law enforcement purposes, the commissioner must, within a
19 reasonable time after the forfeiture of such cigarettes, upon publica-
20 tion in the state registry, destroy such forfeited cigarettes. The
21 commissioner may, prior to any destruction of cigarettes, permit the
22 true holder of the trademark rights in the cigarettes to inspect such
23 forfeited cigarettes in order to assist in any investigation regarding
24 such cigarettes.

25 (a-1) Whenever a police officer designated in section 1.20 of the
26 criminal procedure law or a peace officer designated in paragraph (e) of
27 subdivision [four] two of section 2.10 of such law, acting pursuant to
28 his or her special duties, shall discover any cigarettes which have been

1 stamped in violation of section four hundred eighty-b of this chapter,
2 such officer is hereby authorized and empowered forthwith to seize and
3 take possession of such cigarettes, and such cigarettes shall be subject
4 to a forfeiture action pursuant to the procedures provided for in arti-
5 cle thirteen-A of the civil practice law and rules, as if such article
6 specifically provided for forfeiture of cigarettes seized pursuant to
7 this section as a preconviction forfeiture crime. Subdivisions (b), (c)
8 and (d) of this section shall not apply to cigarettes seized pursuant to
9 this subdivision.

10 § 28. Subdivisions (a) and (a-1) of section 1846-a of the tax law, as
11 amended by chapter 556 of the laws of 2011, are amended to read as
12 follows:

13 (a) Whenever a police officer designated in section 1.20 of the crimi-
14 nal procedure law or a peace officer designated in paragraph (e) of
15 subdivision [four] two of section 2.10 of such law, acting pursuant to
16 his special duties, shall discover any tobacco products in excess of
17 five hundred cigars or ten pounds of tobacco which are being imported
18 for sale in the state where the person importing or causing such tobacco
19 products to be imported has not been appointed as a distributor pursuant
20 to section four hundred seventy-two of this chapter, such police officer
21 or peace officer is hereby authorized and empowered forthwith to seize
22 and take possession of such tobacco products. Such tobacco products
23 seized by a police officer or peace officer shall be turned over to the
24 commissioner. Such seized tobacco products shall be forfeited to the
25 state. All tobacco products forfeited to the state shall be destroyed or
26 used for law enforcement purposes, except that tobacco products that
27 violate, or are suspected of violating, federal trademark laws or import
28 laws shall not be used for law enforcement purposes. If the commissioner

1 determines the tobacco products may not be used for law enforcement
2 purposes, the commissioner must, within a reasonable time thereafter,
3 upon publication in the state registry of a notice to such effect before
4 the day of destruction, destroy such forfeited tobacco products. The
5 commissioner may, prior to any destruction of tobacco products, permit
6 the true holder of the trademark rights in the tobacco products to
7 inspect such forfeited products in order to assist in any investigation
8 regarding such tobacco products.

9 (a-1) Whenever a police officer designated in section 1.20 of the
10 criminal procedure law or a peace officer designated in paragraph (e) of
11 subdivision [four] two of section 2.10 of the criminal procedure law,
12 acting pursuant to his or her special duties, discovers any roll-your-
13 own tobacco that is in violation of section four hundred eighty-c of
14 this chapter, the officer is authorized and empowered to seize and take
15 possession of the roll-your-own tobacco, and the roll-your-own tobacco
16 is subject to a forfeiture action under the procedures provided for in
17 article thirteen-A of the civil practice law and rules, as if that arti-
18 cle specifically provided for forfeiture of roll-your-own tobacco seized
19 under this section as a preconviction forfeiture crime. Subdivisions (b)
20 and (c) of this section do not apply to roll-your-own tobacco seized
21 pursuant to this subdivision.

22 § 29. Subdivisions (a) and (b) of section 1847 of the tax law, subdi-
23 vision (a) as amended by section 3 of part E of chapter 93 of the laws
24 of 2002, subdivision (b) as added by chapter 61 of the laws of 1989, are
25 amended to read as follows:

26 (a) Any peace officer designated in paragraph (e) of subdivision [four
27 or five] two of section 2.10 of the criminal procedure law, acting
28 pursuant to his or her special duties, or any police officer designated

1 in section 1.20 of the criminal procedure law may seize any vehicle or
2 other means of transportation used to transport or for the deposit or
3 concealment of more than one hundred unstamped or unlawfully stamped
4 packages of cigarettes subject to tax under article twenty of this chap-
5 ter or by chapter thirteen of title eleven of the administrative code of
6 the city of New York, other than a vehicle or other means of transporta-
7 tion used by any person as a common carrier in transaction of business
8 as such common carrier, and such vehicle or other means of transporta-
9 tion shall be subject to forfeiture as hereinafter in this section
10 provided.

11 (b) Any peace officer designated in paragraph (e) of subdivision
12 [four] two of section 2.10 of the criminal procedure law, acting pursu-
13 ant to his special duties, or any police officer designated in section
14 1.20 of the criminal procedure law may seize any vehicle or other means
15 of transportation used to import tobacco products in excess of five
16 hundred cigars or ten pounds of tobacco for sale where the person
17 importing or causing such tobacco products to be imported has not been
18 appointed a distributor pursuant to section four hundred seventy-two of
19 this chapter, other than a vehicle or other means of transportation used
20 by any person as a common carrier in transaction of business as such
21 common carrier, and such vehicle or other means of transportation shall
22 be subject to forfeiture as hereinafter in this section provided.

23 § 30. Subdivision (a) of section 1848 of the tax law, as amended by
24 section 54 of part K of chapter 61 of the laws of 2011, is amended to
25 read as follows:

26 (a) Temporary seizure. Whenever a police officer designated in section
27 1.20 of the criminal procedure law or a peace officer designated in
28 paragraph (e) of subdivision [four] two of section 2.10 of such law,

1 acting pursuant to his special duties, shall discover any motor fuel or
2 diesel motor fuel which is being imported for use, distribution, storage
3 or sale in the state where the person importing or causing such motor
4 fuel or diesel motor fuel to be imported is not registered as a distrib-
5 utor under section two hundred eighty-three or section two hundred
6 eighty-two-a, of this chapter, as the case may be, such police officer
7 or peace officer is hereby authorized to seize and take possession of
8 such motor fuel or diesel motor fuel, together with the vehicle or other
9 means of transportation used to transport such motor fuel.

10 § 31. Section 47 of the workers' compensation law, as amended by chap-
11 ter 597 of the laws of 2004, is amended to read as follows:

12 § 47. Presumption as to the cause of disease. If the employee, at or
13 immediately before the date of disablement, was employed in any process
14 mentioned in the second column of the schedule of diseases in subdivi-
15 sion two of section three of this chapter, and his or her disease is the
16 disease in the first column of such schedule set opposite the
17 description of the process, the disease presumptively shall be deemed to
18 have been due to the nature of that employment. Any exposure to the
19 hazards of compressed air after July first, nineteen hundred forty-six
20 shall be presumed, in the absence of substantial evidence to the contra-
21 ry, to be injurious exposure. Any exposure to the hazards of harmful
22 dust in this state for a period of sixty days after September first,
23 nineteen hundred thirty-five, shall be presumed, in the absence of
24 substantial evidence to the contrary, to be an injurious exposure. With
25 respect to any state or local correction officer as defined in paragraph
26 (c) of subdivision [twenty-five] one of section 2.10 of the criminal
27 procedure law, safety and security officer employed by the office of
28 mental health, security hospital treatment assistant employed by the

1 office of mental health, any uniformed court officer or court clerk of
2 the unified court system having the powers of peace officer, the court
3 reporter or the court interpreter, an exposure to the blood or bodily
4 fluid of an individual, incarcerated, confined or otherwise, during the
5 course of his or her employment that is reported in writing to such
6 correction officer's, safety and security officer's, security hospital
7 treatment assistant's, uniformed court officer's, court clerk's, court
8 reporter's or court interpreter's employer within twenty-four hours of
9 such exposure, shall be presumed, in the absence of substantial evidence
10 to the contrary, to be an injurious exposure if, subsequent to such
11 exposure, such correction officer, safety and security officer, security
12 hospital treatment assistant, uniformed court officer, court clerk,
13 court reporter or court interpreter is diagnosed with a blood-borne
14 disease, including, but not limited to hepatitis C.

15 § 32. Section 209-c of the general municipal law, as amended by chap-
16 ter 476 of the laws of 2018, is amended to read as follows:

17 § 209-c. Fire police squads of fire departments and fire companies.
18 The authorities having control of fire departments and fire companies
19 may organize within such departments or companies fire police squads
20 composed of volunteer firefighters who are members of such departments
21 or companies. Members of fire police squads[, so organized, at such
22 times as] are on duty when the fire department, fire company or an emer-
23 gency rescue and first aid squad of the fire department or fire company
24 are on duty, or when, on orders of the chief of the fire department or
25 fire company of which they are members, they are separately engaged in
26 response to a call for assistance pursuant to the provisions of section
27 two hundred nine of this article[, shall have the powers of and render
28 service as peace officers]. A member of a fire police squad shall take

1 an oath of office as a fire police officer in the following form: "I do
2 solemnly swear (or affirm) that I will support the constitution of the
3 United States, and the constitution of the State of New York, and that I
4 will faithfully discharge the duties of the office of fire police offi-
5 cer of the fire company (or fire department),
6 according to the best of my ability." Such oath shall be filed in the
7 office of the city clerk in the case of a firefighter of a fire company
8 or fire department in a city, in the office of the village clerk in the
9 case of a firefighter of a fire company or fire department in a village,
10 and in the office of the town clerk in all other cases. Notwithstanding
11 any other provision of law to the contrary, a member of a fire police
12 squad shall have satisfied any requirement for training as provided by
13 any general or local law if the person has satisfactorily completed a
14 training course offered by the state office of fire prevention and
15 control, or an equivalent course as approved by the state office of fire
16 prevention and control.

17 § 33. This act shall take effect on the one hundred eightieth day
18 after it shall have become a law; provided, however, that the amendments
19 to subdivisions 2 and 4 of section 209 of the civil service law made by
20 section fifteen of this act shall not affect the expiration of such
21 subdivisions and shall expire therewith.