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Introduced By: Presiding Officer Norma Gonsalves, Deputy Presiding Officer Richard Nicoletto, Alt. Deputy Presiding Officer Howard Kopel, Legislator Denis Ford, Legislator C. William Gaylor III, Keguskatir Vincent Muscarella, Legislator James Kennedy, Legislator Laura Schaeffer, Legislator Rose Marie Walker, ~~legislator Donald MacKensie,~~ Legislator Steven Rhoads

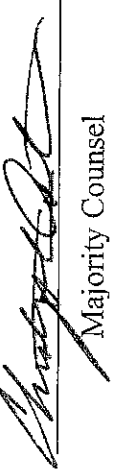
LOCAL LAW 8-2017

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE IN
RELATION TO SCREENING AND FINGERPRINTING OF APPLICANTS TO THE
NASSAU COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Passed by the Nassau County Legislature on August 7, 2017
Voting; ayes: 17 nays: 0 abstained: 0

Became a law on August 9, 2017 with the approval of the County Executive.

APPROVED AS TO FORM



Majority Counsel

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Title H, §§ 8-100.0, 8-100.1, 8-100.2 and 8-100.3 of the Nassau County

Administrative Code are amended to read as follows:

Title H-2

Screening and Fingerprinting of Applicants to the Nassau County Society for the Prevention of

Cruelty to Animals

- §8-100.0 Legislative Intent.
- §8-100.1 Screening of Applicants.
- §8-100.2 Disqualification from Appointment.

§8-100.3 Severability.

§8-100.0 **Legislative Intent.** Certain appointments to the Nassau County Society for the Prevention of Cruelty to Animals (NCSPCA) are peace officers, pursuant to New York State Criminal Procedure Law, section 2.10(7), with powers enumerated in New York State Criminal Procedure Law, section 2.20, and comply with the training requirement of section 2.30 of the New York State Criminal Procedure Law. At this time there is no means for the NCSPCA to thoroughly investigate and process those applicants who would be appointed in the capacity of peace officers. The NCSPCA and Nassau County Police Department will perform criminal history record checks on NCSPCA applicants only after Nassau County confers such authority by Local Law. The Nassau County Legislature finds that the screening, fingerprinting, and criminal records check of NCSPCA applicants who would be appointed in the capacity of peace officers, is warranted.

§ 8-100.1 **Screening of Applicants**

- A. NCSPCA is hereby authorized to obtain fingerprints of applicants who would be appointed in the capacity of peace officers.
- B. NCSPCA is hereby authorized to submit fingerprints to the New York State Division of Criminal Justice Services (NYS DCJS) with the appropriate processing fee, which is to be paid by the NCSPCA for the purpose of conducting criminal history record checks in connection with the appointment of NCSPCA peace officer personnel.
- C. The Nassau County Police Department is hereby authorized to obtain fingerprints of applicants for appointment in the NCSPCA who would be appointed in the capacity of peace officers.

D. The Nassau County Police Department is hereby authorized to and shall conduct fingerprint criminal history record checks, with the appropriate processing fee, which is to be paid by the NCSPCA, in connection with the appointment of NCSPCA peace officer personnel.

§ 8-100.2 Disqualification from Appointment.

Any felony, and/or misdemeanor conviction will disqualify an applicant from appointment as a peace officer with the NCSPCA if the disability has not been removed, as provided in the Correction Law.

§8-100.3 Severability

If any section or subdivision of this title is held to be wholly or partially invalid by a final decree or a court of competent jurisdiction, the remainder of this title shall be valid, and no other section or subsection shall be deemed invalid.

§ 2. SEQRA Determination

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly is of a class of actions which do not have a significant effect on the environment, and no further review is required.

§ 3. Effective Date

This law shall take effect immediately.

APPROVED

County Executive

DATE

Aug. 9, 2017