State of New York

Executive Chamber

No. 60

EXECUTIVE ORDER

TEMPORARY SUSPENSION AND MODIFICATION OF STATUTORY PROVISIONS RELATING TO THE POWERS OF CERTAIN SECURITY GUARDS

WHEREAS, on October 26, 2012, I issued Executive Order No. 47 declaring a disaster emergency in all 62 counties in the State of New York;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend and otherwise alter or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend and modify the following laws:

Subdivisions (6) and (11) of Section 2.15 of the Criminal Procedure Law, to the extent that security guards under contract with the federal General Services Administration and/or the Federal Protective Service and under the supervision of the Federal Protective Service, who are deployed in New York State to provide security services to protect and safeguard equipment and other assets provided to New York State by the United States, shall have the same powers as the federal law enforcement officers specified in those subdivisions, including the authority to carry firearms, so long as such security guards are licensed to do so in another state and are in good standing with respect to such license in such other state, during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order No. 47, issued on October 26, 2012, until further notice; and

Section 400 of the Penal Law, to the extent that a valid firearms license provided by any state to a security guard, who is under contract with the federal General Services Administration and/or the Federal Protective Service and is under the supervision of the Federal Protective Service and who is deployed in New York State to provide security services to protect and safeguard equipment and other assets provided to New York State by the United States, shall be recognized in New York State as a valid license to carry and possess a

firearm in New York State, including in the City of New York, during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order No. 47, issued on October 26, 2012, until further notice.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this third day of November in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor