

5359

2011-2012 Regular Sessions

I N S E N A T E

May 11, 2011

Introduced by Sen. ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the New York city charter in relation to condition precedent to employment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subsection a of section 1127 of the New York city charter,
2 as added by a vote of the people of the city of New York at the general
3 election held in November of 1988, is amended to read as follows:
4 a. Notwithstanding the provisions of any local law, rule or regulation
5 to the contrary, every person seeking employment with the city of New
6 York or any of its agencies regardless of civil service classification
7 or status shall sign an agreement as a condition precedent to such
8 employment to the effect that if such person is or becomes a nonresident
9 individual as that term is defined in section 11-1706 of the administra-
10 tive code of the city of New York or any similar provision of such code,
11 during employment by the city, such person will pay to the city an
12 amount by which a city personal income tax on residents computed and
13 determined as if such person were a resident individual, as defined in
14 such section, during such employment, exceeds the amount of any city
15 earnings tax and city personal income tax imposed on such person for the
16 same taxable period; PROVIDED, HOWEVER, ANY OUTSIDE INCOME OF ANY SUCH
17 EMPLOYEE, EARNED OUTSIDE OF NEW YORK CITY, SHALL NOT BE INCLUDED. ANY
18 INCOME EARNED OUTSIDE OF NEW YORK CITY BY SUCH EMPLOYEE'S SPOUSE SHALL
19 NOT BE CONSIDERED FOR THE PROVISIONS OF THIS SECTION. THE PROVISIONS OF
20 THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE ANY REIMBURSEMENT TO
21 NON-RESIDENT EMPLOYEES OR THEIR SPOUSES FOR THE PERIOD OF TIME SUCH
22 PAYMENT WAS IN FORCE AND EFFECT.
23 S 2. This act shall take effect immediately and shall not apply to any
24 agreement executed on or before such date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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