

# STATE OF NEW YORK

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6660

2021-2022 Regular Sessions

## IN ASSEMBLY

March 23, 2021

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Introduced by M. of A. GLICK, BARRON, BICHOTTE HERMELYN, DICKENS, SIMON, EPSTEIN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to residency requirements for police officers in cities with a population of one million or more

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

1 Section 1. Subdivision 2 of section 3 of the public officers law, as  
2 amended by chapter 1004 of the laws of 1966, is amended to read as  
3 follows:  
4 2. Neither the provisions of this section or of any general, special  
5 or local law, charter, code, ordinance, resolution, rule or regulation,  
6 requiring a person to be a resident of the political subdivision or  
7 municipal corporation of the state for which [~~he~~] they shall be chosen  
8 or within which [~~his~~] their official functions are required to be exer-  
9 cised, shall apply to the appointment of a person as a member of the  
10 police force of any political subdivision or municipal corporation of  
11 the state if such person resides (a) in the county in which such poli-  
12 tical subdivision or municipal corporation is located; or (b) in a coun-  
13 ty within the state contiguous to the county in which such political  
14 subdivision or municipal corporation is located; or (c) in a county  
15 within the state contiguous to such political subdivision or municipal  
16 corporation; or (d) in a county within the state contiguous to a county  
17 described in item (c) hereof where the former is less than fifteen miles  
18 from such political subdivision or municipal corporation, measured from  
19 their respective nearest boundary lines; or (e) in a county within the  
20 state contiguous to a county described in item (d) hereof where the  
21 former is less than thirty miles from such political subdivision or  
22 municipal corporation, measured from their respective nearest boundary  
23 lines. Provided, however, such exemption shall not apply to paid

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

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1 members of a police force in a city with a population of one million or  
2 more. Beginning January first, two thousand twenty-two, no person shall  
3 be appointed a paid member of any police force in a city with a popu-  
4 lation of one million or more that does not reside in the political  
5 subdivision or municipal corporation of the state for which he or she  
6 shall be chosen for one year prior to being appointed and continues to  
7 reside therein.

8 § 2. Subdivision 19 of section 3 of the public officers law, as added  
9 by chapter 509 of the laws of 1986, is amended to read as follows:

10 19. Any person who resides in this state and who is currently employed  
11 as a member of the police force, a paid member of the uniformed force of  
12 a paid fire department or department of corrections in the correctional  
13 service classification of the classified civil service, of a city of  
14 over one million population, shall be exempt from the provisions of  
15 subdivisions one, two and nine of this section upon compliance with the  
16 procedure set forth in this subdivision. Any person seeking to benefit  
17 from the exemption created by this subdivision shall notify [~~his~~] their  
18 respective employer in writing of said intention within thirty days from  
19 the effective date of this subdivision and shall specify [~~his~~] their  
20 then current residence address. The exemption created by this subdivi-  
21 sion shall be applicable only to said actual designated residence and  
22 not to any residence that any subject currently employed member may  
23 thereafter establish; provided, however, that any such currently  
24 employed member who resides outside this state shall have one year from  
25 the effective date of this subdivision within which to establish resi-  
26 dence as required pursuant to subdivisions one, two and nine of this  
27 section and comply with the notice requirements of this subdivision.  
28 Said residence shall constitute a lawful residence for all purposes  
29 notwithstanding any provision to the contrary of any general, special or  
30 local law, charter, code, ordinance, resolution, rule or regulation.  
31 Such exemption shall not apply to paid members of the police force in a  
32 city with a population of one million or more. Beginning January first,  
33 two thousand twenty-two, no person shall be appointed a paid member of  
34 the police force in a city with a population of one million or more that  
35 does not reside in the political subdivision or municipal corporation of  
36 the state for which he or she shall be chosen for one year prior to  
37 being appointed and continues to reside therein.

38 § 3. This act shall take effect immediately.