STATE OF NEW YORK

10080

IN ASSEMBLY

January 30, 2026

Introduced by M. of A. WIEDER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to expanding geographical boundaries for residency requirements of correction officers employed by local correction facilities

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

Section 1. Section 3 of the public officers law is amended by adding a new subdivision 2-e to read as follows:

2-e. Neither the provisions of this section, nor of any general, special or local law, charter, code, ordinance, resolution, rule or regulation, requiring a person to be a resident of the state or the political subdivision or municipal corporation of the state for which such person's official functions are required to be exercised, shall apply to the appointment of a person as a uniformed member of a department of correction or sheriff's department of any political subdivision or municipal corporation of the state if such person resides (a) in a county in which such political subdivision or municipal corporation is located; or (b) in a county within the state contiguous to the county in which such political subdivision or municipal corporation is located; or (c) in a county within a state contiguous to such political subdivision or municipal corporation; or (d) in a county within a state contiguous to a county described in paragraph (c) of this subdivision where the uniformed member's residence is less than forty-five miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines.

§ 2. Section 2 of the public officers law is amended to read as follows:

§ 2. Definitions. **As used in this chapter:**

1. The term "state officer" includes every officer for whom all the electors of the state are entitled to vote, members of the legislature, justices of the supreme court, regents of the university, and every officer, appointed by one or more state officers, or by the legislature, and authorized to exercise [~~his~~] **their** official functions throughout the

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

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entire state, or without limitation to any political subdivision of the state, except United States senators, members of congress, and electors for president and vice-president of the United States.

2. The term "local officer" includes every other officer who is elected by the electors of a portion only of the state, every officer of a political subdivision or municipal corporation of the state, and every officer limited in the execution of [~~his~~] **their** official functions to a portion only of the state. The office of a state officer is a state office. The office of a local officer is a local office.

3. The term "uniformed member of a department of correction or sheriff's department" shall mean all uniformed personnel employed by a sheriff's department or local correctional facility as a correction recruit, correction officer, correction corporal, correction sergeant, correction lieutenant, correction captain, correction colonel, sheriff, deputy sheriff, assistant warden or warden.

§ 3. Section 30 of the public officers law is amended by adding a new subdivision 9 to read as follows:

9. Neither the provisions of this section, nor any general, special or local law, charter, code, ordinance, resolution, rule or regulation, creating a vacancy in a local office of a political subdivision or municipal corporation of the state if the incumbent thereof ceases to be a resident of the state, such political subdivision or municipal corporation, shall apply in the case of a person employed as a uniformed member of a department of correction or sheriff's department provided (a) such political subdivision or municipal corporation is contiguous to another state; (b) such uniformed member of a department of correction or sheriff's department resides in a county within a state contiguous to such political subdivision or municipal corporation; and (c) such uniformed member of a department of correction or sheriff's department described in paragraph (b) of this subdivision where the former is less than forty-five miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines.

§ 4. This act shall take effect immediately.