S T A T E O F N E W Y O R K

4518--A

2009-2010 Regular Sessions

I N S E N A T E

April 24, 2009

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to deferring eligible lists for persons called to active duty in military service

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

Section 1. Subdivision 1 of section 56 of the civil service law, as amended by chapter 411 of the laws of 1993, is amended to read as follows:

1. The duration of an eligible list shall be fixed at not less than one nor more than four years; provided that, except for lists promulgated for police officer positions in jurisdictions other than the city of New York, in the event that a restriction against the filling of vacancies exists in any jurisdiction, the state civil service department or municipal commission having jurisdiction shall, in the discretion of the department or commission, extend the duration of any eligible list for a period equal to the length of such restriction against the filling of vacancies; AND PROVIDED FURTHER THAT, IN THE EVENT THAT AN APPLICANT OR ELIGIBLE WHO IS ON AN ELIGIBLE LIST IS CALLED TO ACTIVE DUTY IN MILITARY SERVICE, AS SUCH TERM IS DEFINED IN SUBDIVISION ONE OF SECTION 10-102 OF THE ELECTION LAW, THE DURATION OF SUCH ELIGIBLE LIST WITH RESPECT TO SUCH APPLICANT OR ELIGIBLE SHALL BE DEFERRED FOR A PERIOD EQUAL TO THE LENGTH OF SUCH ACTIVE DUTY. Restriction against the filling of vacancies shall mean any policy, whether by executive order or otherwise, which, because of a financial emergency, prevents or limits the filling of vacancies in a title for which a list has been promulgated. An eligible list that has been in existence for one year or more shall terminate upon the establishment of an appropriate new list, unless otherwise prescribed by the state civil service department or municipal commission having jurisdiction.

S 2. This act shall take effect immediately.

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

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