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

4395

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. CANESTRARI, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. COLTON, COOK, HOOPER, MAGEE, MARKEY, McENENY, ORTIZ, PHEFFER -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to including state university of New York police officers in provisions permitting transfer of police officers

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

Section 1. Subdivision 3 and paragraphs (a) and (b) of subdivision 4 of section 58 of the civil service law, as amended by chapter 435 of the laws of 1997, are amended to read as follows:

3. As used in this section, the term "police officer" means a member of the regional state park police, THE STATE UNIVERSITY OF NEW YORK POLICE or a police force, police department, or other organization of a county, city, town, village, housing authority, transit authority or police district, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state, but shall not include any person serving as such solely by virtue of his occupying any other office or position, nor shall such term include a sheriff, under-sheriff, commissioner of police, deputy or assistant commissioner of police, chief of police, deputy or assistant chief of police or any person having an equivalent title who is appointed or employed to exercise equivalent supervisory authority.

(a) Any person who has received provisional or permanent appointment in the competitive class of the civil service as a police officer of the regional state park police, THE STATE UNIVERSITY OF NEW YORK POLICE or any police force or police department of any county, city, town, village, housing authority, transit authority or police district shall be eligible to resign from any police force or police department, and to be appointed as a police officer in the same or any other police force or police department without satisfying the age requirements set forth

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

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in paragraph (a) of subdivision one of this section at the time of such second or subsequent appointment, provided such second or subsequent appointment occurs within thirty days of the date of resignation.

(b) Any person who has received permanent appointment in the competitive class of the civil service as a police officer of the regional state park police, THE STATE UNIVERSITY OF NEW YORK POLICE or any police force or police department of any county, city, town, village, housing authority, transit authority or police district shall be eligible to resign from any police force or police department and, subject to such civil service rules as may be applicable, shall be eligible for reinstatement in the same police force or police department or in any other police force or police department to which he was eligible for transfer, without satisfying the age requirements set forth in paragraph (a) of subdivision one of this section at the time of such reinstatement, provided such reinstatement occurs within one year of the date of resignation.

S 2. This act shall take effect immediately.