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I N   A S S E M B L Y

May 9, 2012

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

AN ACT to amend the civil service law, in relation to eligibility for  
permanent appointment of certain police officers

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

1     Section 1. Subparagraphs (ii) and (iii) of paragraph (a) of subdivi-  
2     sion 1 of section 58 of the civil service law, as amended by chapter 346  
3     of the laws of 2008, are amended and a new subparagraph (iv) is added to  
4     read as follows:

5     (ii) such maximum age requirement of thirty-five years shall not apply  
6     to any police officer as defined in subdivision thirty-four of section  
7     1.20 of the criminal procedure law, who was continuously employed by the  
8     Buffalo municipal housing authority between January first, two thousand  
9     five and June thirtieth, two thousand five and who takes the next writ-  
10    ten exam offered after the effective date of this subparagraph by the  
11    city of Buffalo civil service commission for employment as a police  
12    officer in the city of Buffalo police department, or June thirtieth, two  
13    thousand six, whichever is later; [and]

14    (iii) such maximum age requirement of thirty-five years shall not  
15    apply to any police officer of any county, town, city or village police  
16    force not otherwise provided for in this section if the eligible list  
17    has been exhausted and there are no other eligible candidates; provided,  
18    however, the police officer themselves are on the eligible list of such  
19    county, town, city or village and meet all other requirements of merit  
20    and fitness set forth by this chapter and do not exceed the maximum age  
21    of thirty-nine; AND

22    (IV) SUCH MAXIMUM AGE REQUIREMENT OF THIRTY-FIVE YEARS SHALL NOT APPLY  
23    TO ANY POLICE OFFICER OF ANY POLITICAL SUBDIVISION MAINTAINING A POLICE  
24    DEPARTMENT SERVING A POPULATION OF THREE THOUSAND OR LESS IF THE ELIGI-  
25    BLE LIST HAS BEEN EXHAUSTED AND THERE ARE NO OTHER ELIGIBLE CANDIDATES;  
26    PROVIDED, HOWEVER, THE POLICE OFFICER MEETS ALL OTHER REQUIREMENTS OF  
27    MERIT AND FITNESS SET FORTH BY THIS CHAPTER;

28    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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