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

2768--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. CALHOUN, CASTELLI, RAIA, SALADINO, ZEBROWSKI -- Multi-Sponsored by -- M. of A. McDONOUGH, THIELE -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York city charter in relation to condition precedent to employment

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

Section 1. Subsection a of section 1127 of the New York city charter, as added by a vote of the people of the city of New York at the general election held in November of 1988, is amended to read as follows:

a. Notwithstanding the provisions of any local law, rule or regulation to the contrary, every person seeking employment with the city of New York or any of its agencies regardless of civil service classification or status shall sign an agreement as a condition precedent to such employment to the effect that if such person is or becomes a nonresident individual as that term is defined in section 11-1706 of the administrative code of the city of New York or any similar provision of such code, during employment by the city, such person will pay to the city an amount by which a city personal income tax on residents computed and determined as if such person were a resident individual, as defined in such section, during such employment, exceeds the amount of any city earnings tax and city personal income tax imposed on such person for the same taxable period; PROVIDED, HOWEVER, ANY OUTSIDE INCOME OF ANY SUCH EMPLOYEE, EARNED OUTSIDE OF NEW YORK CITY, SHALL NOT BE INCLUDED. ANY INCOME EARNED OUTSIDE OF NEW YORK CITY BY SUCH EMPLOYEE'S SPOUSE SHALL NOT BE CONSIDERED FOR THE PROVISIONS OF THIS SECTION. THE PROVISIONS OF THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE ANY REIMBURSEMENT TO NON-RESIDENT EMPLOYEES OR THEIR SPOUSES FOR THE PERIOD OF TIME SUCH PAYMENT WAS IN FORCE AND EFFECT.

S 2. This act shall take effect immediately and shall not apply to any agreement executed on or before such date.

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

LBD02892-02-1