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

8640

2011-2012 Regular Sessions

I N A S S E M B L Y

September 21, 2011

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

AN ACT to amend the public officers law, in relation to requiring state officers and employees to be state residents

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

Section 1. The public officers law is amended by adding a new section 3-d to read as follows:

S 3-D. RESIDENCY REQUIREMENT FOR STATE OFFICERS AND EMPLOYEES. 1. NOTWITHSTANDING THE PROVISIONS OF THIS ARTICLE, ANY GENERAL, SPECIAL OR LOCAL LAW, CHARTER, CODE, ORDINANCE, RESOLUTION, RULE OR REGULATION, ANY PERSON HOLDING AN OFFICE, EMPLOYMENT OR POSITION:

A. IN THE EXECUTIVE, LEGISLATIVE OR JUDICIAL BRANCH OF THIS STATE; OR

B. WITH AN AUTHORITY, BOARD, BODY, AGENCY, COMMISSION, OR INSTRUMENTALITY OF THE STATE INCLUDING ANY STATE COLLEGE, UNIVERSITY, OR OTHER HIGHER EDUCATION INSTITUTION,

SHALL HAVE HIS OR HER PRINCIPAL RESIDENCE IN THIS STATE AND SHALL SATISFY ALL OTHER REQUIREMENTS SET FORTH BY LAW, RULE OR REGULATION FOR QUALIFICATION FOR SUCH OFFICE, EMPLOYMENT OR POSITION.

2. THE RESIDENCY REQUIREMENT OF THIS SECTION SHALL NOT BE DEEMED TO IMPAIR THE OBLIGATION OF ANY CONTRACT IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION.

3. THE REQUIREMENT OF THIS SECTION SHALL NOT BE APPLICABLE TO ANY OFFICER OR EMPLOYEE WHO, ON SUCH EFFECTIVE DATE, ALREADY HOLDS AN OFFICE, EMPLOYMENT OR POSITION DESCRIBED IN SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the provisions of this act shall apply to contracts entered into, altered, modified, extended, or renewed on or after such effective date, and provided further that the provisions of this act shall be applicable only to state officers or employees who take office or are employed on or after such effective date.

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

LBD13449-02-1