

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

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:

1 Section 1. Subdivision 1 of section 56 of the civil service law, as
2 amended by chapter 411 of the laws of 1993, is amended to read as
3 follows:
4 1. The duration of an eligible list shall be fixed at not less than
5 one nor more than four years; provided that, except for lists promulgat-
6 ed for police officer positions in jurisdictions other than the city of
7 New York, in the event that a restriction against the filling of vacan-
8 cies exists in any jurisdiction, the state civil service department or
9 municipal commission having jurisdiction shall, in the discretion of the
10 department or commission, extend the duration of any eligible list for a
11 period equal to the length of such restriction against the filling of
12 vacancies; AND PROVIDED FURTHER THAT, IN THE EVENT THAT AN APPLICANT OR
13 ELIGIBLE WHO IS ON AN ELIGIBLE LIST IS CALLED TO ACTIVE DUTY IN MILITARY
14 SERVICE, AS SUCH TERM IS DEFINED IN SUBDIVISION ONE OF SECTION 10-102 OF
15 THE ELECTION LAW, THE DURATION OF SUCH ELIGIBLE LIST WITH RESPECT TO
16 SUCH APPLICANT OR ELIGIBLE SHALL BE DEFERRED FOR A PERIOD EQUAL TO THE
17 LENGTH OF SUCH ACTIVE DUTY. Restriction against the filling of vacan-
18 cies shall mean any policy, whether by executive order or otherwise,
19 which, because of a financial emergency, prevents or limits the filling
20 of vacancies in a title for which a list has been promulgated. An eligi-
21 ble list that has been in existence for one year or more shall terminate
22 upon the establishment of an appropriate new list, unless otherwise
23 prescribed by the state civil service department or municipal commission
24 having jurisdiction.
25 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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