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

10035

I N A S S E M B L Y

May 2, 2012

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

AN ACT to amend the public officers law, in relation to residency requirements for police officers in a city with a population of one million or more

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

Section 1. Subdivision 2 of section 3 of the public officers law, as amended by chapter 1004 of the laws of 1966, is amended to read as follows:

2. Neither the provisions of this section or of any general, special or local law, charter, code, ordinance, resolution, rule or regulation, requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he OR SHE shall be chosen or within which his official functions are required to be exercised, shall apply to the appointment ON OR BEFORE JANUARY FIRST, TWO THOUSAND THIRTEEN of a person as a member of the police force of any political subdivision or municipal corporation of the state if such person resides (a) in the county in which such political subdivision or municipal corporation is located; or (b) in a county within the state contiguous to the county in which such political subdivision or municipal corporation is located; or (c) in a county within the state contiguous to such political subdivision or municipal corporation; or (d) in a county within the state contiguous to a county described in item (c) hereof where the former is less than fifteen miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines; or (e) in a county within the state contiguous to a county described in item (d) hereof where the former is less than thirty miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines.

S 2. Subdivision 19 of section 3 of the public officers law, as added by chapter 509 of the laws of 1986, is amended to read as follows:

19. Any person who resides in this state and who is currently employed as a member of the police force EMPLOYED ON OR BEFORE JANUARY FIRST, TWO

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

LBD13916-01-2

THOUSAND THIRTEEN, a paid member of the uniformed force of a paid fire department or department of corrections in the correctional service classification of the classified civil service, of a city of over one million population, shall be exempt from the provisions of subdivisions one, two and nine of this section upon compliance with the procedure set forth in this subdivision. Any person seeking to benefit from the exemption created by this subdivision shall notify his respective employer in writing of said intention within thirty days from the effective date of this subdivision and shall specify his OR HER then current residence address. The exemption created by this subdivision shall be applicable only to said actual designated residence and not to any residence that any subject currently employed member may thereafter establish; provided, however, that any such currently employed member who resides outside this state shall have one year from the effective date of this subdivision within which to establish residence as required pursuant to subdivisions one, two and nine of this section and comply with the notice requirements of this subdivision. Said residence shall constitute a lawful residence for all purposes notwithstanding any provision to the contrary of any general, special or local law, charter, code, ordinance, resolution, rule or regulation. SUCH EXEMPTION SHALL NOT APPLY TO PAID MEMBERS OF THE POLICE FORCE IN A CITY WITH A POPULATION OF ONE MILLION OR MORE AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN. BEGINNING JANUARY FIRST, TWO THOUSAND THIRTEEN, NO PERSON SHALL BE APPOINTED A PAID MEMBER OF THE POLICE FORCE IN A CITY WITH A POPULATION OF ONE MILLION OR MORE THAT DOES NOT RESIDE IN THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL BE CHOSEN FOR ONE YEAR PRIOR TO BEING APPOINTED AND CONTINUES TO RESIDE THEREIN.

S 3. This act shall take effect immediately. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such effective date.