

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:

1 Section 1. Subdivision 2 of section 3 of the public officers law, as
2 amended by chapter 1004 of the laws of 1966, is amended to read as
3 follows:
4 2. Neither the provisions of this section or of any general, special
5 or local law, charter, code, ordinance, resolution, rule or regulation,
6 requiring a person to be a resident of the political subdivision or
7 municipal corporation of the state for which he OR SHE shall be chosen
8 or within which his official functions are required to be exercised,
9 shall apply to the appointment ON OR BEFORE JANUARY FIRST, TWO THOUSAND
10 THIRTEEN of a person as a member of the police force of any political
11 subdivision or municipal corporation of the state if such person resides
12 (a) in the county in which such political subdivision or municipal
13 corporation is located; or (b) in a county within the state contiguous
14 to the county in which such political subdivision or municipal corpo-
15 ration is located; or (c) in a county within the state contiguous to
16 such political subdivision or municipal corporation; or (d) in a county
17 within the state contiguous to a county described in item (c) hereof
18 where the former is less than fifteen miles from such political subdivi-
19 sion or municipal corporation, measured from their respective nearest
20 boundary lines; or (e) in a county within the state contiguous to a
21 county described in item (d) hereof where the former is less than thirty
22 miles from such political subdivision or municipal corporation, measured
23 from their respective nearest boundary lines.
24 S 2. Subdivision 19 of section 3 of the public officers law, as added
25 by chapter 509 of the laws of 1986, is amended to read as follows:
26 19. Any person who resides in this state and who is currently employed
27 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.

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

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