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

10130

I N A S S E M B L Y

May 9, 2012

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

AN ACT to amend the civil service law, in relation to eligibility for permanent appointment of certain police officers

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

Section 1. Subparagraphs (ii) and (iii) of paragraph (a) of subdivision 1 of section 58 of the civil service law, as amended by chapter 346 of the laws of 2008, are amended and a new subparagraph (iv) is added to read as follows:

(ii) such maximum age requirement of thirty-five years shall not apply to any police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law, who was continuously employed by the Buffalo municipal housing authority between January first, two thousand five and June thirtieth, two thousand five and who takes the next written exam offered after the effective date of this subparagraph by the city of Buffalo civil service commission for employment as a police officer in the city of Buffalo police department, or June thirtieth, two thousand six, whichever is later; [and]

(iii) such maximum age requirement of thirty-five years shall not apply to any police officer of any county, town, city or village police force not otherwise provided for in this section if the eligible list has been exhausted and there are no other eligible candidates; provided, however, the police officer themselves are on the eligible list of such county, town, city or village and meet all other requirements of merit and fitness set forth by this chapter and do not exceed the maximum age of thirty-nine; AND

(IV) SUCH MAXIMUM AGE REQUIREMENT OF THIRTY-FIVE YEARS SHALL NOT APPLY TO ANY POLICE OFFICER OF ANY POLITICAL SUBDIVISION MAINTAINING A POLICE DEPARTMENT SERVING A POPULATION OF THREE THOUSAND OR LESS IF THE ELIGIBLE LIST HAS BEEN EXHAUSTED AND THERE ARE NO OTHER ELIGIBLE CANDIDATES; PROVIDED, HOWEVER, THE POLICE OFFICER MEETS ALL OTHER REQUIREMENTS OF MERIT AND FITNESS SET FORTH BY THIS CHAPTER;

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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