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

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I N A S S E M B L Y

May 30, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Wright) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to residency requirements for members of municipal departments of sanitation

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

Section 1. Subdivision 2-a of section 3 of the public officers law, as amended by chapter 200 of the laws of 2006, is amended to read as follows:

2-a. Neither the provisions of this section, nor 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 shall be chosen or within which his official functions are required to be exercised, shall apply to the appointment of a member of the department of sanitation of any municipality of the state who resides in a county within the state contiguous to such municipality. A member of the department of sanitation of any political subdivision or municipal corporation [who has five or more years of service] may reside (a) in a 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 which is not more than fifteen miles from such political subdivision or municipal corporation.

S 2. Subdivision 5 of section 30 of the public officers law, as separately amended by chapters 200 and 209 of the laws of 2006, is amended to read as follows:

5. Neither the provisions of this section, nor of any general, special or local law, charter, code, ordinance, resolution, rule or regulation, creating a vacancy in a local office of a political subdivision or municipal corporation if the incumbent thereof ceases to be a resident of such political subdivision or municipal corporation, shall apply in

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

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the case of a paid member of the uniformed force of a paid fire department, who, for purposes of this section shall include persons employed as fire alarm dispatchers, or in the case of a person employed in a department of correction in the correction service of the classified civil service, or in the case of a member of the department of sanitation of any political subdivision or municipal corporation [who has five or more years of service,] or in the case of officers and inspectors employed in a department of health of a city of over one million population who resides (a) in the county in which said city is located; or (b) in a county within the state contiguous to the county in which said city is located; or (c) in a county within the state contiguous to such city; or (d) in a county within the state which is not more than fifteen miles from said city; 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 3. This act shall take effect immediately.