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I N S E N A T E

February 25, 2014

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government 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:

1 Section 1. Subdivision 2-a of section 3 of the public officers law, as
2 amended by chapter 200 of the laws of 2006, is amended to read as
3 follows:
4 2-a. Neither the provisions of this section, nor of any general,
5 special or local law, charter, code, ordinance, resolution, rule or
6 regulation, requiring a person to be a resident of the political subdivi-
7 sion or municipal corporation of the state for which he shall be
8 chosen or within which his official functions are required to be exer-
9 cised, shall apply to the appointment of a member of the department of
10 sanitation of any municipality of the state who resides in a county
11 within the state contiguous to such municipality. A member of the
12 department of sanitation of any political subdivision or municipal
13 corporation [who has five or more years of service] may reside (a) in a
14 county in which such political subdivision or municipal corporation is
15 located; or (b) in a county within the state contiguous to the county in
16 which such political subdivision or municipal corporation is located; or
17 (c) in a county within the state contiguous to such political subdivi-
18 sion or municipal corporation; or (d) in a county within the state which
19 is not more than fifteen miles from such political subdivision or munic-
20 ipal corporation.
21 S 2. Subdivision 5 of section 30 of the public officers law, as sepa-
22 rately amended by chapters 200 and 209 of the laws of 2006, is amended
23 to read as follows:
24 5. Neither the provisions of this section, nor of any general, special
25 or local law, charter, code, ordinance, resolution, rule or regulation,
26 creating a vacancy in a local office of a political subdivision or
27 municipal corporation if the incumbent thereof ceases to be a resident

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

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1 of such political subdivision or municipal corporation, shall apply in
2 the case of a paid member of the uniformed force of a paid fire depart-
3 ment, who, for purposes of this section shall include persons employed
4 as fire alarm dispatchers, or in the case of a person employed in a
5 department of correction in the correction service of the classified
6 civil service, or in the case of a member of the department of sanita-
7 tion of any political subdivision or municipal corporation [who has five
8 or more years of service,] or in the case of officers and inspectors
9 employed in a department of health of a city of over one million popu-
10 lation who resides (a) in the county in which said city is located; or
11 (b) in a county within the state contiguous to the county in which said
12 city is located; or (c) in a county within the state contiguous to such
13 city; or (d) in a county within the state which is not more than fifteen
14 miles from said city; or (e) in a county within the state contiguous to
15 a county described in item (d) hereof where the former is less than
16 thirty miles from such political subdivision or municipal corporation,
17 measured from their respective nearest boundary lines.

18 S 3. This act shall take effect immediately.