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

January 13, 2014

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

AN ACT in relation to providing additional civil service credit to children of certain firefighters and police officers killed in the line of duty

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

Section 1. Notwithstanding any other law to the contrary, any candidate on an established eligible list resulting from a competitive examination who (i) is the child of a firefighter or police officer who was killed in the line of duty as such term is defined in subdivision 1 of section 85-b of the civil service law, (ii) applied for additional credit pursuant to section 85-a of the civil service law as it existed prior to the enactment of chapter 376 of the laws of 2013 for the examination that resulted in the established eligible list, (iii) established that his or her parent was killed in the line of duty as such term is defined in subdivision 1 of section 85-b of the civil service law, (iv) was denied such additional credit, and (v) would have been granted such additional credit pursuant to section 85-b, as amended by chapter 376 of the laws of 2013, shall be allowed to have such additional credit added to his or her current final rating for such examination. Any established eligible list containing the names of candidates who were previously denied credit and would now be afforded credit shall be re-established to provide such candidates receiving additional credit with the proper ranking on such established eligible list; provided that, when re-establishing such list, the names of the candidates who have been appointed from such list shall not be included on the re-established list; and provided further that any appointment that was made from such established eligible list shall not be void or voidable upon the re-establishment of such eligible list solely because, on such re-established list, the appointee would not have been eligible for such appointment pursuant to subdivision 1 of section 61 of the civil service law; and provided further that any change in a candidate's ranking on the re-established list shall not give rise to a cause of action relating to one

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

or more appointments from the eligible list that has been re-established.

S 2. Notwithstanding any other law to the contrary, upon re-establishment of an established eligible list, the established eligible list that has been re-established shall terminate.

S 3. This act shall take effect immediately.