

1779

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by 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:

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,

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

LBD00684-01-5

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

20 S 3. This act shall take effect immediately.