

2037--C

2015-2016 Regular Sessions

I N   S E N A T E

January 21, 2015

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Introduced by Sen. HASSELL-THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to appointments from eligible lists

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

1     Section 1. Subdivision 4 of section 23 of the civil service law, as  
2     amended by chapter 403 of the laws of 2011, is amended and a new subdi-  
3     vision 4-c is added to read as follows:  
4     4. Use of state and county eligible lists, AS THE SOURCE OF NEW HIRES,  
5     by municipal commissions. A municipal commission, in the absence of an  
6     eligible list of its own, may request the state civil service depart-  
7     ment, county civil service commission or county personnel officer to  
8     furnish it with the names of persons on an appropriate eligible list  
9     established by the department, commission or personnel officer, which,  
10    if so requested by the municipal commission, shall be limited to resi-  
11    dents of the city, or town or civil division in which appointments are  
12    to be made, or to residents of the county or judicial district in which  
13    such city, town or civil division is located, or to any reasonable  
14    combination of political subdivisions both in and outside of New York  
15    state contiguous to the city or civil division in which appointment is  
16    to be made or contiguous to the political subdivision in which such city  
17    or civil division is located, except for the position of director of  
18    facilities I, II, & III of a school district located within the state  
19    which shall use the list developed pursuant to subdivision five of  
20    section seventeen of this [chapter] TITLE. Such municipal commission

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

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1 may certify such names for appointment to a position under its jurisdic-  
2 tion in the same manner as certifications are made from the eligible  
3 lists of such commission. If the state civil service department, county  
4 civil service commission or county personnel officer, upon the request  
5 of such commission, has certified an appropriate eligible list to fill a  
6 particular position, such list shall continue to be used until super-  
7 seded by an eligible list established by such municipal commission for  
8 such position, or until such list expires or is exhausted or is other-  
9 wise terminated.

10 4-C. ALTERNATE LISTS FOR POLICE DEPARTMENTS. POLICE DEPARTMENTS WHERE  
11 A LIST PURSUANT TO SUBDIVISION FOUR OF THIS SECTION DOES NOT ADEQUATELY  
12 REPRESENT MINORITY POPULATIONS AND THE EXISTING POLICE DEPARTMENT'S  
13 ETHNIC, RACIAL OR WOMEN COMPOSITION DEVIATES FROM THE COMMUNITY UPON  
14 WHICH THEY SERVE BY TWENTY-FIVE PERCENT OR MORE, A MUNICIPAL COMMISSION  
15 MAY USE ALTERNATE LISTS, INCLUDING BUT NOT LIMITED TO THE COUNTY LIST,  
16 FOR THE FILLING OF VACANCIES BY BOTH RESIDENT AND NON-RESIDENT MINORITY  
17 GROUP MEMBERS, AS DEFINED BY SECTION THREE HUNDRED TEN OF THE EXECUTIVE  
18 LAW, AND WOMEN IN ORDER TO ACHIEVE DIVERSITY IN THE WORKFORCE. ALTER-  
19 NATE LISTS SHALL BE PROVIDED AND POLICE DEPARTMENTS SHALL HIRE FROM SUCH  
20 ALTERNATE LISTS UNTIL SUCH POLICE DEPARTMENT'S ETHNIC, RACIAL OR WOMEN  
21 COMPOSITION NO LONGER DEVIATES FROM THE COMMUNITY UPON WHICH THEY SERVE  
22 BY TWENTY-FIVE PERCENT OR MORE, UPON WHICH TIME THE MUNICIPAL COMMISSION  
23 SHALL BE REQUIRED TO USE ITS OWN ELIGIBLE LIST. CANDIDATES FROM ALTER-  
24 NATE LISTS FOR POLICE DEPARTMENT HIRING SHALL BE HIRED BASED ON THEIR  
25 MERIT AND QUALIFICATIONS.

26 S 2. This act shall take effect immediately.