

2804--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 20, 2015

Introduced by M. of A. PRETLOW, WALKER, PICHARDO, STECK, CRESPO, ARROYO,
COOK -- Multi-Sponsored by -- M. of A. BLAKE, CLARK, SIMON -- read
once and referred to the Committee on Governmental Employees --
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 ASSEM-
BLY, 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 to read as
3 follows:
4 4. Use of state and county eligible lists by municipal commissions. A
5 municipal commission, in the absence of an eligible list of its own, may
6 request the state civil service department, county civil service commis-
7 sion or county personnel officer to furnish it with the names of persons
8 on an appropriate eligible list established by the department, commis-
9 sion or personnel officer, which, if so requested by the municipal
10 commission, shall be limited to residents of the city, or town or civil
11 division in which appointments are to be made, or to residents of the
12 county or judicial district in which such city, town or civil division
13 is located, or to any reasonable combination of political subdivisions
14 both in and outside of New York state contiguous to the city or civil
15 division in which appointment is to be made or contiguous to the poli-
16 tical subdivision in which such city or civil division is located,
17 except for the position of director of facilities I, II, & III of a
18 school district located within the state which shall use the list devel-
19 oped pursuant to subdivision five of section seventeen of this [chapter]
20 TITLE. PROVIDED, HOWEVER, THAT IF A LIST DOES NOT ADEQUATELY REPRESENT
21 MINORITY POPULATIONS AND THE EXISTING DEPARTMENT'S ETHNIC, RACIAL OR
22 WOMEN COMPOSITION DEVIATES FROM THE COMMUNITY UPON WHICH THEY SERVE BY

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

LBD05424-08-5

1 TWENTY-FIVE PERCENT OR MORE, A MUNICIPAL COMMISSION MAY USE ALTERNATE
2 LISTS, INCLUDING BUT NOT LIMITED TO THE COUNTY LIST, FOR THE FILLING OF
3 VACANCIES BY BOTH RESIDENT AND NON-RESIDENT MINORITY GROUP MEMBERS, AS
4 DEFINED BY SECTION THREE HUNDRED TEN OF THE EXECUTIVE LAW, AND WOMEN IN
5 ORDER TO ACHIEVE DIVERSITY IN THE WORKFORCE. ALTERNATE LISTS SHALL BE
6 PROVIDED UNTIL SUCH DEPARTMENT'S ETHNIC, RACIAL OR WOMEN COMPOSITION NO
7 LONGER DEVIATES FROM THE COMMUNITY UPON WHICH THEY SERVE BY TWENTY-FIVE
8 PERCENT OR MORE, UPON WHICH TIME THE MUNICIPAL COMMISSION SHALL BE
9 REQUIRED TO USE ITS OWN ELIGIBLE LIST. Such municipal commission may
10 certify such names for appointment to a position under its jurisdiction
11 in the same manner as certifications are made from the eligible lists of
12 such commission. If the state civil service department, county civil
13 service commission or county personnel officer, upon the request of such
14 commission, has certified an appropriate eligible list to fill a partic-
15 ular position, such list shall continue to be used until superseded by
16 an eligible list established by such municipal commission for such posi-
17 tion, or until such list expires or is exhausted or is otherwise termi-
18 nated.

19 S 2. This act shall take effect immediately.