S T A T E O F N E W Y O R K

8164

I N S E N A T E

June 24, 2016

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public officers law in relation to the removal of residency as a condition precedent to employment for any political subdivision or municipal corporation of the state or any of its agencies

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

Section 1. Legislative finding and declaration. The legislature hereby finds and declares that there is a substantial state interest in the fair and equitable treatment of public employees throughout the state who are permitted to reside in localities outside the political subdivision or municipal corporation of the state for which they work. That substantial state interest would be furthered by establishing that no employee who resides in a permitted locality be subject to any levy or payment by choosing to reside in such permitted locality. Therefore, the legislature declares the necessity for the enactment of this act to establish that no public employee who becomes a nonresident of a political subdivision or municipal corporation of the state for which he or she works shall be obligated to make a payment because he or she becomes a nonresident by residing in a locality permitted by state or other applicable law.

S 2. Section 3 of the public officers law is amended by adding a new subdivision 65 to read as follows:

65. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION OR OF ANY GENERAL, SPECIAL OR LOCAL LAW, CHARTER, CODE, ORDINANCE, RESOLUTION, RULE OR REGULATION TO THE CONTRARY, COMMENCING ON JANUARY FIRST OF THE CALENDAR YEAR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, NO EMPLOYEE OF ANY POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE OR ANY OF ITS AGENCIES THAT RESIDES IN A COUNTY PERMITTED BY THIS SECTION OR ANY OTHER APPLICABLE LAW SHALL BE OBLIGATED TO MAKE ANY PAYMENT OR SATISFY ANY LEVY PURSUANT TO A CONDITION OF EMPLOYMENT, OR AGREEMENT THAT SUCH EMPLOYEE MAY HAVE SIGNED, THAT SUCH EMPLOYEE SHALL PAY ANY AMOUNT IF SUCH EMPLOYEE BECOMES A NONRESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE.

S 3. This act shall take effect immediately.

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

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