STATE OF NEW YORK

391--A

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to the removal of residency penalties related to employment by any political subdivision or municipal corporation of the state

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 officers 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 any public officer who resides in a permitted locality shall not be subject to any levy or payment by residing in a permitted locality. Therefore, the legislature declares the necessity for the enactment of this act to establish that any public officer who is or becomes a nonresident of a political subdivision or municipal corporation of the state for which he or she is employed shall not be obligated to forgo wages or make a payment because he or she is or becomes a nonresident by residing in a locality permitted by state or other applicable law.

§ 2. Section 3 of the public officers law is amended by adding a new subdivision 66 to read as follows:

66. Notwithstanding the provisions of this section or of any general, special or local law, charter, code, ordinance, resolution, rule or regulation to the contrary, any person subject to the residency requirements of this section who resides in a political subdivision or municipal corporation permitted by this section or any other applicable law

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

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shall not be obligated or required to forgo or make any payment or satisfy any levy pursuant to a condition of employment or an agreement by such person if such person is or becomes a nonresident of the political subdivision or municipal corporation of the state.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.