

STATE OF NEW YORK

5206

2017-2018 Regular Sessions

IN SENATE

March 15, 2017

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

AN ACT to amend the executive law, in relation to lifting mandatory hiring and retirement ages for state police

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 215 of the executive law, as
2 amended by chapter 478 of the laws of 2004, is amended to read as
3 follows:

4 3. The sworn members of the New York state police shall be appointed
5 by the superintendent and permanent appointees may be removed by the
6 superintendent only after a hearing. No person shall be appointed to the
7 New York state police force as a sworn member unless he or she shall be
8 a citizen of the United States, [~~between the ages of twenty-one and~~
9 ~~twenty-nine years except that in the superintendent's discretion, the~~
10 ~~maximum age may be extended to thirty-five years. Notwithstanding any~~
11 ~~other provision of law or any general or special law to the contrary the~~
12 ~~time spent on military duty, not exceeding a total of six years, shall~~
13 ~~be subtracted from the age of any applicant who has passed his or her~~
14 ~~twenty-ninth birthday, solely for the purpose of permitting qualifica-~~
15 ~~tion as to age and for no other purpose. Such limitations as to age~~
16 ~~however shall not apply to persons appointed to the positions of coun-~~
17 ~~sel, first assistant counsel, assistant counsel, and assistant deputy~~
18 ~~superintendent for employee relations nor to any person appointed to the~~
19 ~~bureau of criminal investigation pursuant to section two hundred sixteen~~
20 ~~of this article nor shall any person be appointed]~~ not less than twen-
21 ty-one years of age as of the date of appointment, or unless he or she
22 has fitness and good moral character and shall have passed a physical
23 and mental examination based upon standards provided by the rules and
24 regulations of the superintendent. Appointments shall be made for a
25 probationary period which, in the case of appointees required to attend

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

LBD10601-01-7

1 and complete a basic training program at the state police academy, shall
2 include such time spent attending the basic school and terminate one
3 year after successful completion thereof. All other sworn members shall
4 be subject to a probationary period of one year from the date of
5 appointment. Following satisfactory completion of the probationary peri-
6 od the member shall be a permanent appointee. Voluntary resignation or
7 withdrawal from the New York state police during such appointment shall
8 be submitted to the superintendent for approval. Reasonable time shall
9 be required to account for all equipment issued or for debts or obli-
10 gations to the state to be satisfied. Resignation or withdrawal from the
11 division during a time of emergency, so declared by the governor, shall
12 not be approved if contrary to the best interest of the state and shall
13 be a misdemeanor. No sworn member removed from the New York state police
14 shall be eligible for reappointment. The superintendent shall make rules
15 and regulations subject to approval by the governor for the discipline
16 and control of the New York state police and for the examination and
17 qualifications of applicants for appointment as members thereto and such
18 examinations shall be held and conducted by the superintendent subject
19 to such rules and regulations. The superintendent is authorized to
20 charge a fee of twenty dollars as an application fee for any person
21 applying to take a competitive examination for the position of trooper,
22 and a fee of five dollars for any competitive examination for a civilian
23 position. The superintendent shall promulgate regulations subject to the
24 approval of the director of the budget, to provide for a waiver of the
25 application fee when the fee would cause an unreasonable hardship on the
26 applicant and to establish a fee schedule and charge fees for the use of
27 state police facilities.

28 § 2. This act shall take effect on the one hundred eightieth day after
29 it shall have become a law.