

STATE OF NEW YORK

10910

IN ASSEMBLY

August 17, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cruz) --
read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to residency
requirements for police officers in a city with a population of one
million or more

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

1 Section 1. Subdivision 2 of section 3 of the public officers law, as
2 amended by chapter 1004 of the laws of 1966, is amended to read as
3 follows:

4 2. [~~Neither~~] In a city with a population less than one million,
5 neither the provisions of this section or of any general, special or
6 local law, charter, code, ordinance, resolution, rule or regulation,
7 requiring a person to be a resident of the political subdivision or
8 municipal corporation of the state for which he or she shall be chosen
9 or within which his official functions are required to be exercised,
10 shall apply to the appointment of a person as a member of the police
11 force of any political subdivision or municipal corporation of the state
12 if such person resides (a) in the county in which such political subdi-
13 vision or municipal corporation is located; or (b) in a county within
14 the state contiguous to the county in which such political subdivision
15 or municipal corporation is located; or (c) in a county within the state
16 contiguous to such political subdivision or municipal corporation; or
17 (d) in a county within the state contiguous to a county described in
18 item (c) hereof where the former is less than fifteen miles from such
19 political subdivision or municipal corporation, measured from their
20 respective nearest boundary lines; or (e) in a county within the state
21 contiguous to a county described in item (d) hereof where the former is
22 less than thirty miles from such political subdivision or municipal
23 corporation, measured from their respective nearest boundary lines.

24 § 2. Subdivision 19 of section 3 of the public officers law, as added
25 by chapter 509 of the laws of 1986, is amended to read as follows:

26 19. Any person who resides in this state and who is currently employed
27 as [~~a member of the police force,~~] a paid member of the uniformed force

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

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1 of a paid fire department or department of corrections in the correc-
2 tional service classification of the classified civil service, of a city
3 of over one million population, shall be exempt from the provisions of
4 subdivisions one, two and nine of this section upon compliance with the
5 procedure set forth in this subdivision. Any person seeking to benefit
6 from the exemption created by this subdivision shall notify his respec-
7 tive employer in writing of said intention within thirty days from the
8 effective date of this subdivision and shall specify his or her then
9 current residence address. The exemption created by this subdivision
10 shall be applicable only to said actual designated residence and not to
11 any residence that any subject currently employed member may thereafter
12 establish; provided, however, that any such currently employed member
13 who resides outside this state shall have one year from the effective
14 date of this subdivision within which to establish residence as required
15 pursuant to subdivisions one, two and nine of this section and comply
16 with the notice requirements of this subdivision. Said residence shall
17 constitute a lawful residence for all purposes notwithstanding any
18 provision to the contrary of any general, special or local law, charter,
19 code, ordinance, resolution, rule or regulation.

20 § 3. Section 3 of the public officers law is amended by adding a new
21 subdivision 19-a to read as follows:

22 19-a. In a city with a population of one million or more, any person
23 appointed as a paid member of the police force of such city shall become
24 a resident of any political subdivision or municipal corporation within
25 such city within one year of his or her appointment and shall continue
26 to reside within any such political subdivision or municipal corpo-
27 ration. No person appointed as a paid member of such police force may
28 continue such employment unless he or she complies with the provisions
29 of this subdivision.

30 § 4. Paragraph 1 of subdivision 4 of section 30 of the public officers
31 law, as amended by chapter 173 of the laws of 1962, is amended to read
32 as follows:

33 (1) If such person was appointed as a member of such police force
34 prior to [~~July first, nineteen hundred sixty-one~~] January first, two
35 thousand twenty-one, shall reside in any such county on such date and
36 shall continue to reside in any such county after such date, or

37 § 5. This act shall take effect immediately.