

STATE OF NEW YORK

3482

2019-2020 Regular Sessions

IN SENATE

February 7, 2019

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

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:

1 Section 1. Legislative finding and declaration. The legislature hereby
2 finds and declares that there is a substantial state interest in the
3 fair and equitable treatment of public officers throughout the state who
4 are permitted to reside in localities outside the political subdivision
5 or municipal corporation of the state for which they work. That substan-
6 tial state interest would be furthered by establishing that any public
7 officer who resides in a permitted locality shall not be subject to any
8 levy or payment by residing in a permitted locality. Therefore, the
9 legislature declares the necessity for the enactment of this act to
10 establish that any public officer who is or becomes a nonresident of a
11 political subdivision or municipal corporation of the state for which he
12 or she is employed shall not be obligated to forgo wages or make a
13 payment because he or she is or becomes a nonresident by residing in a
14 locality permitted by state or other applicable law.

15 § 2. Section 3 of the public officers law is amended by adding a new
16 subdivision 68 to read as follows:

17 68. Notwithstanding the provisions of this section or of any general,
18 special or local law, charter, code, ordinance, resolution, rule or
19 regulation to the contrary, any person subject to the residency require-
20 ments of this section who resides in a political subdivision or munici-
21 pal corporation permitted by this section or any other applicable law
22 shall not be obligated or required to forgo or make any payment or
23 satisfy any levy pursuant to a condition of employment or an agreement

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

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1 by such person if such person is or becomes a nonresident of the poli-
2 tical subdivision or municipal corporation of the state.

3 § 3. This act shall take effect on the first of January next succeed-
4 ing the date on which it shall have become a law. Effective immediately
5 the addition, amendment and/or repeal of any rule or regulation neces-
6 sary for the implementation of this act on its effective date are
7 authorized to be made and completed on or before such date.