

# STATE OF NEW YORK

8596

## IN SENATE

June 17, 2020

Introduced by Sen. PARKER -- 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 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 Assembly, 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 the provisions of this section or of any general, special  
5 or local law, charter, code, ordinance, resolution, rule or regulation,  
6 requiring a person to be a resident of the political subdivision or  
7 municipal corporation of the state for which he or she shall be chosen  
8 or within which his official functions are required to be exercised,  
9 shall apply to the appointment on or before January first, two thousand  
10 twenty-one of a person as a member of the police force of any political  
11 subdivision or municipal corporation of the state if such person resides  
12 (a) in the county in which such political subdivision or municipal  
13 corporation is located; or (b) in a county within the state contiguous  
14 to the county in which such political subdivision or municipal corpo-  
15 ration is located; or (c) in a county within the state contiguous to  
16 such political subdivision or municipal corporation; or (d) in a county  
17 within the state contiguous to a county described in item (c) hereof  
18 where the former is less than fifteen miles from such political subdivi-  
19 sion or municipal corporation, measured from their respective nearest  
20 boundary lines; or (e) in a county within the state contiguous to a  
21 county described in item (d) hereof where the former is less than thirty  
22 miles from such political subdivision or municipal corporation, measured  
23 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 employed on or before January first, two

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

LBD16738-01-0

1 thousand twenty-one, a paid member of the uniformed force of a paid fire  
2 department or department of corrections in the correctional service  
3 classification of the classified civil service, of a city of over one  
4 million population, shall be exempt from the provisions of subdivisions  
5 one, two and nine of this section upon compliance with the procedure set  
6 forth in this subdivision. Any person seeking to benefit from the  
7 exemption created by this subdivision shall notify his respective  
8 employer in writing of said intention within thirty days from the effec-  
9 tive date of this subdivision and shall specify his or her then current  
10 residence address. The exemption created by this subdivision shall be  
11 applicable only to said actual designated residence and not to any resi-  
12 dence that any subject currently employed member may thereafter estab-  
13 lish; provided, however, that any such currently employed member who  
14 resides outside this state shall have one year from the effective date  
15 of this subdivision within which to establish residence as required  
16 pursuant to subdivisions one, two and nine of this section and comply  
17 with the notice requirements of this subdivision. Said residence shall  
18 constitute a lawful residence for all purposes notwithstanding any  
19 provision to the contrary of any general, special or local law, charter,  
20 code, ordinance, resolution, rule or regulation. Such exemption shall  
21 not apply to paid members of the police force in a city with a popu-  
22 lation of one million or more after January first, two thousand twenty-  
23 two. Beginning January first, two thousand twenty-one, no person shall  
24 be appointed a paid member of the police force in a city with a popu-  
25 lation of one million or more that does not reside in the political  
26 subdivision or municipal corporation of the state for which he or she  
27 shall be chosen for one year prior to being appointed and continues to  
28 reside therein.

29 § 3. This act shall take effect immediately.