STATE OF NEW YORK

5253

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sens. COONEY, BROUK -- 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 certain police residency requirements

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

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

2. Neither the provisions of this section or of any general, special or local law, charter, code, ordinance, resolution, rule or regulation, requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he **or she** shall be chosen or within which his **or her** official functions are required to be exercised, shall apply to the appointment of a person as a member of the police force of any political subdivision or municipal corporation of the state if such person resides (a) in the county in which such political subdivision or municipal corporation is located; or (b) in a county within the state contiguous to the county in which such political subdivision or municipal corporation is located; or (c) in a county within the state contiguous to such political subdivision or municipal corporation; or (d) in a county within the state contiguous to a county described in item (c) hereof where the former is less than fifteen miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines; or (e) in a county within the state contiguous to a county described in item (d) hereof where the former is less than thirty miles from such political subdivision or municipal corporation, measured from their respective nearest boundary lines.

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

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§ 2. Section 3 of the public officers law is amended by adding a new subdivision 71 to read as follows:

71. Notwithstanding the provisions of subdivision two of this section, or any provision of any general, special or local law, charter, code, ordinance, resolution, rule or regulation to the contrary, every city with a population of more than ninety thousand but less than three hundred thousand, as of the effective date of this subdivision, shall have the authority to enact a local law subsequent to the effective date of this subdivision requiring any person who is appointed as a member of the police force of such city to be a resident of such a city during his or her employment as a member of such police force; provided however, that nothing in this subdivision shall authorize such local law to affect any person who entered such city service as a police officer prior to thirty days subsequent to the effective date of such local law. Such local law shall, to the extent practicable, be enacted in such a way as to achieve the goal of at least fifty percent of the members of the police force being residents of such city within five years of the enactment of such local law, and one hundred percent of the members of the police force being residents of such city within ten years of the enactment of such local law.

§ 3. This act shall take effect immediately.