

STATE OF NEW YORK

5969

2021-2022 Regular Sessions

IN SENATE

March 24, 2021

Introduced by Sen. PARKER -- 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 residency requirements for police officers

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 or her official functions are required to be exer-
9 cised, shall apply to the appointment on or before January first, two
10 thousand twenty-two of a person as a member of the police force of any
11 political subdivision or municipal corporation of the state if such
12 person resides (a) in the county in which such political subdivision or
13 municipal corporation is located; or (b) in a county within the state
14 contiguous to the county in which such political subdivision or municip-
15 al corporation is located; or (c) in a county within the state contig-
16 uous to such political subdivision or municipal corporation; or (d) in a
17 county within the state contiguous to a county described in item (c)
18 hereof where the former is less than fifteen miles from such political
19 subdivision or municipal corporation, measured from their respective
20 nearest boundary lines; or (e) in a county within the state contiguous
21 to a county described in item (d) hereof where the former is less than
22 thirty miles from such political subdivision or municipal corporation,
23 measured from their respective nearest boundary lines. Provided, howev-
24 er, such exemption shall not apply to paid members of a police force

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

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1 after January first, two thousand twenty-three. Beginning January
2 first, two thousand twenty-two, no person shall be appointed a paid
3 member of any police force that does not reside in the political subdi-
4 vision or municipal corporation of the state for which he or she shall
5 be chosen for one year prior to being appointed and continues to reside
6 therein.

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

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

39 § 3. This act shall take effect immediately.