STATE OF NEW YORK

3899

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. FAHY -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to allowing the establishment of continuing eligible lists when appropriate

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

Section 1. Section 57 of the civil service law, as added by chapter 83 of the laws of 1963, is amended to read as follows:

§ 57. Continuous recruitment for certain positions. Notwithstanding any other provisions of this chapter or any other law, the civil service department or a municipal commission may establish a continuing eligible list for any class of positions for which it finds inadequate numbers of well qualified persons available for recruitment**, provided that for any class of positions filled through open-competitive examination the civil service department or a municipal commission may establish continuing eligible lists when appropriate**. Names of eligibles shall be inserted in such list from time to time as applicants are tested and found qualified in examinations held at such intervals as may be prescribed by the civil service department or municipal commission having jurisdiction. Such successive examinations shall, so far as practicable, be constructed and rated so as to be equivalent tests of the merit and fitness of candidates. The name of any candidate who passes any such examination and who is otherwise qualified shall be placed on the continuing eligible list in the rank corresponding to [~~his~~] **the candidate's** final rating on such examination. The period of eligibility of successful candidates for certification and appointment from such continuing eligible list, as a result of any such examination, shall be fixed by the civil service department or municipal commission but, except as a list may reach an announced terminal date, such period shall not be less than one year; nor shall such period of eligibility exceed four years. Subject to such conditions and limitations as the civil

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

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service department or municipal commission may prescribe, a candidate may take more than one such examination; provided, however, that no such candidate shall be certified simultaneously with more than one rank on the continuing eligible list. With respect to any candidate who applies for and is granted additional credit in any such examination as a disabled or non-disabled veteran, and for the limited purpose of granting such additional credit, the eligible list shall be deemed to be established on the date on which [~~his~~] **the candidate's** name is added thereto.

§ 2. This act shall take effect immediately.