STATE OF NEW YORK

5756

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

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

AN ACT to amend the civil service law, in relation to lifting mandatory hiring and retirement ages for municipal police

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

Section 1. Paragraph (a) of subdivision 1 of section 58 of the civil service law, as amended by chapter 244 of the laws of 2013, is amended to read as follows:

(a) he or she is not less than twenty years of age as of the date of appointment [~~nor more than thirty-five years of age as of the date when the applicant takes the written examination, provided that the maximum age requirement of thirty-five years of age as set forth in this paragraph shall not apply to eligible lists finalized pursuant to an examination administered prior to May thirty-first, nineteen hundred ninety-nine or a police officer in the department of environmental conservation, provided, however, that:~~

~~(i) time spent on military duty or on terminal leave, not exceeding a total of six years, shall be subtracted from the age of any applicant who has passed his or her thirty-fifth birthday as provided in subdivision ten-a of section two hundred forty-three of the military law;~~

~~(ii) such maximum age requirement of thirty-five years shall not apply to any police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law, who was continuously employed by the Buffalo municipal housing authority between January first, two thousand five and June thirtieth, two thousand five and who takes the next written exam offered after the effective date of this subparagraph by the city of Buffalo civil service commission for employment as a police officer in the city of Buffalo police department, or June thirtieth, two thousand six, whichever is later; and~~

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

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~~(iii) such maximum age requirement of thirty-five years shall not apply to any police officer of any county, town, city or village police force not otherwise provided for in this section if the eligible list has been exhausted and there are no other eligible candidates; provided, however, the police officer themselves are on the eligible list of such county, town, city or village and meet all other requirements of merit and fitness set forth by this chapter and do not exceed the maximum age of thirty-nine~~];

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.