STATE OF NEW YORK

8421

IN SENATE

January 29, 2024

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to increasing the age of eligibility for provisional or permanent appointment of certain police officers from thirty-five to forty

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~~] **forty** years of age as of the date when the applicant takes the written examination, provided that the maximum age requirement of [~~thirty-five~~] **forty** 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~~] **fortieth** 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~~] **forty** 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

(iii) such maximum age requirement of [~~thirty-five~~] **forty** years shall not apply to any police officer of any county, town, city or village

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

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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~~] **forty**;

§ 2. This act shall take effect immediately.