

STATE OF NEW YORK

200

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. McDONALD, SHIMSKY, LUCAS, TAYLOR, SEAWRIGHT, BICHOTTE HERMELYN, DAVILA, LEVENBERG, COOK, SEPTIMO, WOERNER, STECK, BENDETT, ANGELINO, TANNOUSIS, BRABENEC, JENSEN, BEEPHAN, DeSTEFANO, LEMONDES, WALSH, K. BROWN, MILLER -- read once and referred to the Committee on Governmental Employees

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:

1 Section 1. Subdivision 1 of section 58 of the civil service law, as
2 amended by chapter 244 of the laws of 2013, paragraphs (c) and (d) as
3 amended by section 16 of part BBB of chapter 59 of the laws of 2021, is
4 amended to read as follows:

5 1. Notwithstanding any other provision of this law or any general,
6 special or local law to the contrary, no person shall be eligible for
7 provisional or permanent appointment in the competitive class of the
8 civil service as a police officer of the department of environmental
9 conservation or of any police force or police department of any county,
10 city, town, village, housing authority or police district unless [~~he or~~
11 ~~she~~] such person shall satisfy the following basic requirements:

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

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

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1 (i) time spent on military duty or on terminal leave, not exceeding a
2 total of six years, shall be subtracted from the age of any applicant
3 who has passed [~~his or her thirty-fifth~~] the applicant's fortieth birth-
4 day as provided in subdivision ten-a of section two hundred forty-three
5 of the military law;

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

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

23 (b) [~~he or she~~] such person is a high school graduate or a holder of a
24 high school equivalency diploma issued by an education department of any
25 of the states of the United States or a holder of a comparable diploma
26 issued by any commonwealth, territory or possession of the United States
27 or by the Canal Zone or a holder of a report from the United States
28 armed forces certifying [~~his or her~~] the person's successful completion
29 of the tests of general educational development, high school level;

30 (c) [~~he or she~~] the person satisfies the height, weight, physical and
31 psychological fitness requirements prescribed by the municipal police
32 training council pursuant to the provisions of section eight hundred
33 forty of the executive law; and

34 (d) [~~he or she~~] the person is of good moral character as determined in
35 accordance with the background investigation standards of the municipal
36 police training council pursuant to the provisions of section eight
37 hundred forty of the executive law.

38 § 2. This act shall take effect immediately.