

STATE OF NEW YORK

10080

IN ASSEMBLY

January 30, 2026

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

AN ACT to amend the public officers law, in relation to expanding geographical boundaries for residency requirements of correction officers employed by local correction facilities

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

1 Section 1. Section 3 of the public officers law is amended by adding a
2 new subdivision 2-e to read as follows:

3 2-e. Neither the provisions of this section, nor of any general,
4 special or local law, charter, code, ordinance, resolution, rule or
5 regulation, requiring a person to be a resident of the state or the
6 political subdivision or municipal corporation of the state for which
7 such person's official functions are required to be exercised, shall
8 apply to the appointment of a person as a uniformed member of a depart-
9 ment of correction or sheriff's department of any political subdivision
10 or municipal corporation of the state if such person resides (a) in a
11 county in which such political subdivision or municipal corporation is
12 located; or (b) in a county within the state contiguous to the county in
13 which such political subdivision or municipal corporation is located; or
14 (c) in a county within a state contiguous to such political subdivision
15 or municipal corporation; or (d) in a county within a state contiguous
16 to a county described in paragraph (c) of this subdivision where the
17 uniformed member's residence is less than forty-five miles from such
18 political subdivision or municipal corporation, measured from their
19 respective nearest boundary lines.

20 § 2. Section 2 of the public officers law is amended to read as
21 follows:

22 § 2. Definitions. As used in this chapter:

23 1. The term "state officer" includes every officer for whom all the
24 electors of the state are entitled to vote, members of the legislature,
25 justices of the supreme court, regents of the university, and every
26 officer, appointed by one or more state officers, or by the legislature,
27 and authorized to exercise [~~his~~] their official functions throughout the

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

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1 entire state, or without limitation to any political subdivision of the
2 state, except United States senators, members of congress, and electors
3 for president and vice-president of the United States.

4 2. The term "local officer" includes every other officer who is
5 electd by the electors of a portion only of the state, every officer of
6 a political subdivision or municipal corporation of the state, and every
7 officer limited in the execution of [his] their official functions to a
8 portion only of the state. The office of a state officer is a state
9 office. The office of a local officer is a local office.

10 3. The term "uniformed member of a department of correction or sher-
11 iff's department" shall mean all uniformed personnel employed by a sher-
12 iff's department or local correctional facility as a correction recruit,
13 correction officer, correction corporal, correction sergeant, correction
14 lieutenant, correction captain, correction colonel, sheriff, deputy
15 sheriff, assistant warden or warden.

16 § 3. Section 30 of the public officers law is amended by adding a new
17 subdivision 9 to read as follows:

18 9. Neither the provisions of this section, nor any general, special or
19 local law, charter, code, ordinance, resolution, rule or regulation,
20 creating a vacancy in a local office of a political subdivision or
21 municipal corporation of the state if the incumbent thereof ceases to be
22 a resident of the state, such political subdivision or municipal corpo-
23 ration, shall apply in the case of a person employed as a uniformed
24 member of a department of correction or sheriff's department provided
25 (a) such political subdivision or municipal corporation is contiguous to
26 another state; (b) such uniformed member of a department of correction
27 or sheriff's department resides in a county within a state contiguous to
28 such political subdivision or municipal corporation; and (c) such
29 uniformed member of a department of correction or sheriff's department
30 described in paragraph (b) of this subdivision where the former is less
31 than forty-five miles from such political subdivision or municipal
32 corporation, measured from their respective nearest boundary lines.

33 § 4. This act shall take effect immediately.