

STRICKEN AS OF END OF YEAR
AMENDED COPY AS OF 11/25/2013

Intro. Res. No. 2063-2013

Laid on Table 11/19/2013

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, ADOPTING LOCAL LAW
NO. -2013 A CHARTER LAW TO EXPAND SUFFOLK
COUNTY EMPLOYMENT RESIDENCY REQUIREMENTS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on November 19, 2013, a proposed local law entitled, "**A CHARTER LAW TO EXPAND SUFFOLK COUNTY EMPLOYMENT RESIDENCY REQUIREMENTS**;" and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO EXPAND SUFFOLK COUNTY EMPLOYMENT
RESIDENCY REQUIREMENTS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK, as follows:

Section 1. Legislative Intent.

The Suffolk County Legislature finds and determines that, with certain exceptions, the Suffolk County Charter currently requires a person entering County service to have his or her residence within the County of Suffolk or the County of Nassau, in certain circumstances, and to maintain such residence during the person's entire term of County service.

The Suffolk County Legislature further finds that it is in the best interest of Suffolk County to encourage an expansive range of individuals to seek County employment.

The Legislature finds that expanding Suffolk County Employee residency requirements will result in attracting a diverse number of applicants for employment and also serve to attract qualified applicants for "difficult-to-fill" positions within County Government.

Therefore, the purpose of this law is to amend the Suffolk County Charter to expand residency requirements to permit residency in the City of New York in certain circumstances.

Section 2. Amendments.

Article VI of SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Article VI. Department of Human Resources, Personnel and Civil Service

§C6-3. Recruitment of personnel; training programs; residency requirements.

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B. Residency requirements.

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(2) Except where Suffolk County Residence may otherwise be required by local law as a condition of County employment, any Suffolk County Officer or Employee whose position is in Bargaining Unit 21 and in the unclassified service, the exempt class, or the noncompetitive class excluded from protection shall be required to be a resident of either the County of Suffolk, [or] the County of Nassau, or the City of New York, provided that the County Executive, or in the case of an Officer or Employee of the County Legislature, a County Legislator has issued a statement of need, not subject to legislative review, for the employment of such officer or employee. If any such employee is employed as the Chief Deputy County Executive, at the Board of Elections, the Department of Law, or any department, agency or unit of Suffolk County government where the appointing authority is an elected official other than a Suffolk County Executive or a Suffolk County Legislator, the employee shall be a resident of Suffolk County as otherwise prescribed by this section.

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Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of language.

___ Underlining denotes addition of new language.
DATED:

APPROVED BY:

County Executive of Suffolk County

Date: