

1 **2023 NYSAC Fall Seminar**

2 **Standing Committee on Public Employee Relations**

3 **Resolution #1**

4 **Resolution Calling for the State of New York to Allow for County Home Rule**
5 **Authority Regarding Employment Residency Requirements**

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7 **WHEREAS**, New York’s Public Officers Law §3 requires certain employees reside in
8 the political subdivision or municipality in which he or she holds such public office; and

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10 **WHEREAS**, this law has a worthy intent, which is to promote local officials to interact
11 with the community in which they serve, even in off hours, as well as to keep local tax
12 funded salaries within the community; and

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14 **WHEREAS**, since the 1970’s, the State has authorized over 70 exceptions to POL
15 residency requirements, including for police officers, in recognition that for some job
16 specifications it is important to increase the potential hiring pool to obtain highly skilled
17 employees; and

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19 **WHEREAS**, in recent years, the population of upstate New York has declined,
20 shrinking the potential hiring pool; and

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22 **WHEREAS**, in this same period, the state has forced county governments to vastly
23 increase skilled labor hires in order to implement new state reforms such as raising the
24 age of criminal responsibility, expansion of indigent public defense services and
25 criminal justice reforms such as bail, speedy trial, and discovery; and

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27 **WHEREAS**, critical county positions that require special backgrounds especially in the
28 fields of healthcare and social services are becoming more necessary than ever, and to
29 obtain and retain quality employees in these fields means at times providing the
30 flexibility of hiring outside the county district; and

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32 **WHEREAS**, county officials from all areas of the state are reporting difficulties finding
33 and hiring employees to perform vital government services; and

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35 **WHEREAS**, county governments are best situated to know what job titles should have
36 residency requirements and which should have flexibility to ensure efficient and quality
37 county services; and

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39 **NOW, THEREFORE, BE IT RESOLVED**, the New York State of Association of
40 Counties (NYSAC) calls for the State of New York to amend Public Officers Law §3 and
41 allow for full Home Rule Authority to determine county employee residency
42 requirements; and

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44 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of
45 New York State encouraging member counties to enact similar resolutions; and

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BE IT FURTHER RESOLVED, that NYSAC shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, New York State Department of Civil Service and all others deemed necessary and proper.