

1 **2021 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**

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

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

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

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

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

21 **WHEREAS**, county officials from all areas of the State are reporting difficulties finding
22 and hiring employees to perform vital government services; and

23 **WHEREAS**, county governments are best situated to know what job titles should have
24 residency requirements and which should have flexibility to ensure efficient and quality
25 county services.

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

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

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