

RESOLUTION NO. 1083 -2019, ADOPTING LOCAL LAW NO. 36 -2019, A CHARTER LAW TO EXEMPT THE SUFFOLK COUNTY SHERIFF'S OFFICE FROM CERTAIN RESIDENCY REQUIREMENTS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on September 4, 2019, a proposed local law entitled, "**A CHARTER LAW TO EXEMPT THE SUFFOLK COUNTY SHERIFF'S OFFICE FROM CERTAIN RESIDENCY REQUIREMENTS**"; now, therefore be it

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

LOCAL LAW NO. 36 -2019, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO EXEMPT THE SUFFOLK COUNTY SHERIFF'S OFFICE FROM CERTAIN RESIDENCY REQUIREMENTS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Suffolk County Sheriff's Office is tasked with providing for the safety and security of Suffolk County residents, including staffing the Suffolk County correctional facilities, investigating crimes committed on County property, providing security for County government offices, and issuing pistol licenses for residents in the five East End towns.

This Legislature also finds and determines that it is imperative that the Suffolk County Sheriff's Office is able to recruit competent professionals for its staff to adequately serve and protect the residents of the County and remain competitive with other law enforcement agencies in the region.

This Legislature further finds and determines that currently, the Sheriff's Office is restricted to recruiting correction officers and deputy sheriffs who reside in Suffolk County, which puts a burden on its ability to recruit the best candidates for the job.

This Legislature finds that expanding the applicant pool for certain titles of correction officers and deputy sheriffs beyond County residents will enable the Sheriff's Office to more effectively recruit and maintain personnel.

Therefore, the purpose of this law is to amend § C6-3 of the SUFFOLK COUNTY CHARTER to permit the Suffolk County Sheriff's Office to recruit and employ certain titles of correction officers and deputy sheriffs from a larger and more diverse applicant pool, which will better serve the residents of Suffolk County.

Section 2. Amendment.

Section C6-3 of the 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.

4.) Exemptions.

c. This subdivision shall not apply to the following positions of County service:

- xliv.** Correction Officer 1.
- xlvi.** Correction Officer 2.
- xlvii.** Correction Officer 3.
- xlviii.** Correction Officer 4.
- xlix.** Deputy Warden.
- I.** Deputy Sheriff I.
- li.** Deputy Sheriff II.
- lii.** Deputy Sheriff III.
- liii.** Deputy Sheriff IV.

Section 3. Applicability.

This law shall apply to any person entering or presently in County service 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)(26) 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 routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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 with the Office of the Secretary of State.

[] Brackets denote deletion of existing language.
___ Underlining denotes addition of new language.

DATED: November 26, 2019

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: December 13, 2019

After a public hearing duly held on December 11, 2019
Filed with the Secretary of State on December 27, 2019