

S6584-2011 Memo

BILL NUMBER:S6584

TITLE OF BILL:

An act

to amend the public officers law, in relation to activities by former state officers

PURPOSE:

Extends the exemption of subparagraph (i) of paragraph (a) to any state officer or employee whose employment was terminated between January 1, 2009 to April 1, 2014.

SUMMARY OF PROVISIONS:

Section 1 - amends paragraph (b) of section 73 of the public officers law (as amended by chapter 574 of the laws of 2011).

JUSTIFICATION:

Ordinarily, employees who leave State service may not, for two years, appear or practice before their former agency or receive compensation for rendering services on a matter before their former agency.

However, there are current provisions to allow for exemption from this law in cases of termination due to the economy, consolidation, or abolition of functions. This particular act amends the public officers law extending the exemption period by two years, from April 1, 2012 to April 1, 2014.

The economy has not bounced back from the recession as quickly as originally predicted and state agencies and jobs are still being cut due to budget constraints. This extension insures that state officers are immune from the law that doesn't allow terminated state employees to return to a related service for two years.

The restriction barring state employees from appearing or practicing before their former agency or receiving compensation for rendering services on a matter before their former agency was not meant to apply to these employees. The employees eligible for this exemption were let go due to no fault of their own, but rather because of intrinsic characteristics of a struggling economy. Thus, it is

pertinent to offer an exemption to these employees who continue to suffer due to no fault of there own, in order to give these terminated employees the opportunity to continue their career as a state employee.

PRIOR LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect immediately and shall be deemed to have been in full force and effect on or after April 1, 2012.