

2025-B515

Senate Resolution No. 515

BY: Senator STEC

CONCURRENT RESOLUTION OF THE SENATE AND THE ASSEMBLY

terminating the provisions of Executive Order number
47.3 issued by the Governor pursuant to section 29-a
of the Executive Law

WHEREAS, the Governor was given the authority pursuant to Executive Law section 29-a by Executive Order to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a state disaster emergency if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, and to issue any directive during a disaster emergency necessary to cope with the disaster; and

WHEREAS, Executive Order number 47.3 of 2025 temporarily suspended or modified, and directed:

- The Department of Corrections and Community Supervision shall, upon the separation of any employee: (i) immediately investigate such employee's involvement in the illegal and unlawful strike; (ii) pursuant to paragraph b of subdivision 2 of section 845 of the Executive Law and 9 NYCRR 6056, promptly report to the New York State Central Registry of Police and Peace Officers maintained by the Division of Criminal Justice Services the separation from service of any individual employed by the Department of Corrections

and Community Supervision as a peace officer who is found to have participated in the illegal and unlawful strike as a removal for cause; and (iii) report any employee who is found to have participated in the illegal and unlawful strike to the Office of Employee Relations;

- All New York State agencies shall, as a part of their process to determine if an applicant is eligible to be hired, determine whether an applicant was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such applicant's participation in the illegal and unlawful strike;

- All New York State agencies shall, as part of any background investigation, determine whether the individual being investigated was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;

- No New York State agency shall hire or appoint any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike. This prohibition applies to all appointments in the classified service of the State, as well as any hires in the unclassified service where Civil Service Law provisions apply; and

- Within three days of this directive, where applicable, the Office of Employee Relations, in consultation with the Department of Civil Service, shall issue guidance to all New York State agencies on how

to integrate the above requirements into their hiring practices;
and

FURTHER, by virtue of the authority vested in me by section 29-a of the Executive Law, I hereby extend and continue the suspensions and

modifications contained in Executive Orders 47 through 47.2 and hereby temporarily suspend or modify the following laws, for the period from the date of this Executive Order through April 9, 2025:

- Subdivisions 1 and 4 of section 70 of the Civil Service Law are suspended and modified to the extent necessary to prohibit the transfer and change of title of any permanent employee who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 5, 17, and section 450 of the County Law, and any ordinances, local laws, resolutions, rules and regulations adopted to implement such statutes are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 2, 3, and 4 of the Municipal Home Rule Law, and any local laws, resolutions, rules and regulations adopted to implement such statutes, are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike;
- Articles 6 and 20 of the Correction Law, and any ordinances, local laws, resolutions, rules and regulations adopted to implement such statutes are suspended and modified to the extent necessary to prohibit the appointment, transfer, and promotion of any individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment

in connection with such individual's participation in the illegal and unlawful strike; and

- Subdivision 6 of section 2.30 of the Criminal Procedure Law is suspended and modified to the extent necessary to prohibit a certificate attesting to satisfactory completion of training requirements to continue to remain valid after the interruption of service of an individual who was previously employed by the Department of Corrections and Community Supervision and thereafter separated from such employment in connection with such individual's participation in the illegal and unlawful strike.

WHEREAS, the State Legislature has the authority to terminate by concurrent resolution Executive Orders issued under section 29-a of the Executive Law; now, therefore, be it

RESOLVED, (if the concur), that Executive Order number 47.3 of 2025 making such temporary suspensions and modifications and issuing such directives are hereby terminated.