



Legislation Details (With Text)

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Title: A Local Law to amend the New York city charter, in relation to the democratic election of the New York City police commissioner.

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Int. No. 825

By Council Members Williams, Barron, Dromm, Rose, Rodriguez, Levin, Mark-Viverito and Wills

A Local Law to amend the New York city charter, in relation to the democratic election of the New York City police commissioner.

Be it enacted by the Council as follows:

Section 1. Section 431 of chapter eighteen of the New York city charter is amended to read as follows:

§ 431. Department; commissioner. a. There shall be a police department the head of which shall be the police commissioner who shall be [appointed by the mayor and shall, unless sooner removed, hold office for a term of five years]elected by the electors of the city at the same time and for the same terms as in this charter prescribed for the mayor. A police commissioner who resigns or is removed from office prior to the completion of a full term shall be deemed to have held that office for a full term for purposes of section 1138 of the charter.

The salary of the police commissioner shall be one hundred seventy-five thousand dollars a year.

b. [Whenever in the judgment of the mayor or the governor the public interests shall so require, the

commissioner may be removed from office by either, and shall be ineligible for reappointment thereto]The police commissioner may be removed or suspended in the same manner as provided in this charter with respect to the mayor.

c. [Whenever a vacancy shall occur in the office of police commissioner, a police commissioner shall be appointed by the mayor within ten days thereafter]Any vacancy in the office of police commissioner shall be filled by popular election in the same manner as provided in this charter with respect to the mayor.

§ 2. Subdivision a of section 1138 of chapter fifty of the New York city charter is amended to read as follows:

a. Notwithstanding any provision to the contrary contained in this charter, no person shall be eligible to be elected to or serve in the office of mayor, public advocate, comptroller, police commissioner, borough president or council member if that person had previously held such office for two or more consecutive full terms, unless one full term or more has elapsed since that person last held such office.

§ 3. This local law shall become effective ninety days after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

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