



Legislation Text

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Int. No. 2209

By Council Members Adams, Kallos, the Public Advocate (Mr. Williams), the Speaker (Council Member Johnson), Rosenthal and Ampry-Samuel

A Local Law to amend the New York city charter, in relation to requiring advice and consent of the council for the police commissioner

Be it enacted by the Council as follows:

Section 1. Section 31 of the New York city charter, as amended by a vote of the electors on November 5, 2019, is amended to read as follows:

§ 31. Power of advice and consent. Appointment by the mayor of the commissioner of investigation, the police commissioner and the corporation counsel, and of the members of the art commission, board of health (other than the chair), board of standards and appeals, city planning commission (other than the chair), civil service commission, landmarks preservation commission, tax commission, taxi and limousine commission and the public members of the environmental control board shall be made with the advice and consent of the council after a public hearing. Within 30 days after the first stated meeting of the council after receipt of a nomination, the council shall hold a hearing and act upon such nomination and in the event it does not act within such period, the nomination shall be deemed to be confirmed.

§ 2. Section 431 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 with the advice and consent of the council and shall, unless sooner removed, hold office for a term of [five] four years.

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.

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.] Within 10 days following the occurrence of a vacancy in the office of the police commissioner, the mayor shall submit to the council the name of the mayor's nominee for police commissioner. If the council disapproves a nomination while the office of the police commissioner is vacant, the mayor shall submit a new nomination to the council within 10 days of council disapproval. Each subsequent council disapproval of a mayoral nomination shall begin a new 10-day period.

§ 3. This local law takes effect immediately 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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