

## Oaths of Office

<b>Objective:</b>	To provide information on the legal requirements for oaths of office and establish procedures for implementing the Law	<b>Policy/Procedure Number:</b>	08-14
<b>Reference:</b> <i>(All applicable federal, state, and local laws)</i>	County Law, Section 402; Public Officers Law, Sections 10 and 30 and 400; Office of the County Clerk; Civil Service Law, Section 62	<b>Effective Date:</b>	January 12, 1981
<b>Legislative Policy Statement:</b>	It is required by law that all public officials and officers be administered an oath of office upon appointment or election to office. It is also required by law that County employees not specified must sign a constitutional oath before hiring.	<b>Responsible Department:</b>	Clerk of the Legislature
<b>General Information:</b>		<b>Modified Date (s):</b>	May 22, 1984; October 2, 2012; August 2019
		<b>Resolution No.:</b>	2019-171
		<b>Next Scheduled Review:</b>	August 2024

**I. Definitions:** **Constitutional Oath** - Oath or affirmation a person takes to uphold the Constitution of the United States.

**Oath of Office** - Oath or affirmation a person takes before undertaking the duties of an office, usually a position in government, although such oaths are sometimes required of officers of other organizations. Such oaths are often required by the laws of the state.

**II. Policy:** All elected County officials, Undersheriff and appointed Deputy Sheriffs, the Election Commissioners and Commissioners of Social Services, Human Resources, Mental Health, and Planning and Sustainability, County Administrator, Probation and Community Justice Director, Public Health Director, Director of Assessment, Director of Finance, Medical Director, Deputy County Clerks, Deputy District Attorneys and appointed members of County affiliated lay boards, commissions, and committees shall take and file an official oath in the manner prescribed in the Public Officers Law.

- III. Procedure:**
- A.** Oaths of office shall be filed in the office of the County Clerk within thirty (30) days of the commencement of an elected official's term of office or an appointed official's notice of appointment. The Clerk of the Legislature shall send with each notice of appointment instructions for all advisory board appointees to report to the County Clerk's Office to file an oath of office.
  - B.** The County Clerk may report to the organizational meeting of a newly constituted board, commission, or committee to administer the oath of office verbally. If this is done, written oaths must still be filed in the County Clerk's Office.
  - C.** Deputy Sheriffs must refile an oath of office with the commencement of each term of the County Sheriff.
  - D.** Deputy County Clerk(s) must refile an oath of office with the commencement of each term of the County Clerk.

- E.** Deputy District Attorneys must refile an oath of office with the commencement of each term of the District Attorney.
- F.** County employees not specified above must sign a constitutional oath through the Department of Human Resources before hiring.
- G.** Refusal or neglect to file an official oath within thirty (30) days of commencements of a term of office or notice of appointment shall be grounds for considering an office to be vacant.