

# STATE OF NEW YORK

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349

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

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Introduced by M. of A. JACOBSON -- read once and referred to the Committee on Local Governments

AN ACT to amend the municipal home rule law, in relation to the definition of "population" for purposes of providing substantially equal weight for the population of that local government in the allocation of representation in the local legislative body

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Clause (c.) of subparagraph 13 of paragraph a of subdivision  
2 sion 1 of section 10 of the municipal home rule law, as amended by  
3 section 119 of subpart B of part C of chapter 62 of the laws of 2011, is  
4 amended to read as follows:

5 (c.) As used in this subparagraph the term "population" shall mean  
6 residents[~~, citizens, or registered voters~~]. For such purposes, no  
7 person shall be deemed to have gained or lost a residence, or to have  
8 become a resident of a local government, as defined in subdivision eight  
9 of section two of this chapter, by reason of being subject to the jurisdiction  
10 of the department of corrections and community supervision and  
11 present in a state correctional facility pursuant to such jurisdiction.  
12 A population base for such a plan of apportionment shall utilize the  
13 latest statistical information obtainable from an official enumeration  
14 done at the same time for all the residents[~~, citizens, or registered~~  
15 ~~voters~~] of the local government. Such a plan may allocate, by extrapolation  
16 or any other rational method, such latest statistical information  
17 to representation areas or units of local government, provided that any  
18 plan containing such an allocation shall have annexed thereto as an  
19 appendix, a detailed explanation of the allocation.

20 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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