

STATE OF NEW YORK

983

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. GAUGHRAN, KAPLAN -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend the village law, in relation to authorizing the appointment of an additional associate village justice by villages

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

1 Section 1. Paragraph a of subdivision 2 of section 3-301 of the
2 village law, as amended by chapter 259 of the laws of 2016, is amended
3 to read as follows:

4 a. except as provided in section 3-303 of this article, no more than
5 two village justices, but in the event a village has one justice, it
6 shall also have an associate justice who shall serve when requested by
7 the village justice or in the absence or inability of the village
8 justice to serve. A village that has one justice, may adopt a resolution
9 on unanimous consent of the village board of trustees to authorize the
10 appointment of a second associate village justice to serve when
11 requested by the village justice or in the absence or inability of the
12 village justice or associate village justice to serve. The office of
13 village justice is continued in every village in which it is now established.
14 The board of trustees of any other village may establish such
15 office by resolution or local law, subject to a permissive referendum.
16 The board of trustees of any village by resolution or local law, subject
17 to permissive referendum, may abolish such office, but to take effect
18 only upon the expiration of the then current term of such office, or
19 establish the office of additional village justices, which justice once
20 elected shall have all the powers and duties of a village justice. The
21 resolution or local law in the latter case shall provide for a term
22 pursuant to section 3-302 of this article. The clerk of the court of a
23 village shall be discharged from employment only upon the advice and
24 consent of the village justice or justices when the clerk, in his or her
25 village duties, works solely for the village justice or justices.

26 § 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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