

10172

I N A S S E M B L Y

March 9, 2010

Introduced by M. of A. BRENNAN -- read once and referred to the Committee on Cities

AN ACT to amend the municipal home rule law, in relation to charter revision commissions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 36 of the municipal home rule law is amended by
2 adding a new subdivision 4-a to read as follows:
3 4-A. IF A COMMISSION IS CREATED PURSUANT TO THIS SECTION AFTER THE
4 FIFTEENTH DAY OF FEBRUARY OF ANY YEAR, SUCH COMMISSION MAY NOT PLACE ANY
5 PROPOSALS ON THE BALLOT UNTIL THE SUBSEQUENT CALENDAR YEAR FOLLOWING ITS
6 CREATION. PRIOR TO THE CONSIDERATION OF ANY PROPOSALS BY THE COMMISSION,
7 SUCH COMMISSION SHALL HOLD ONE OR MORE PUBLIC HEARINGS IN ORDER TO
8 ACQUIRE PUBLIC OPINION REGARDING WHAT REVISIONS SHOULD BE CONSIDERED AS
9 PROPOSED CHANGES TO THE CHARTER. FOLLOWING A DETERMINATION BY THE
10 COMMISSION REGARDING WHICH PROPOSED CHANGES SHALL BE PLACED ON THE
11 BALLOT FOR CONSIDERATION BY ELECTORS, SUCH COMMISSION SHALL HOLD ONE OR
12 MORE PUBLIC HEARINGS IN ORDER TO ACQUIRE PUBLIC OPINION REGARDING SUCH
13 PROPOSALS. PROPOSALS FOR SPECIFIC CHANGES TO THE CHARTER RECOMMENDED BY
14 SUCH COMMISSION SHALL, TO THE MAXIMUM EXTENT PRACTICABLE, BE SEPARATELY
15 IDENTIFIED ON THE BALLOT FOR SEPARATE VOTER CONSIDERATION.
16 S 2. This act shall take effect immediately, and shall be deemed to
17 have been in full force and effect on and after January 1, 2010, and
18 shall apply to any charter revision commission coming into existence on
19 or after January 1, 2010; provided that any charter revision commission
20 that is in existence prior to January 1, 2010 and which is not in
21 compliance with the provisions of this act is hereby terminated, and no
22 proposed new charter or amendment offered by such commission shall be
23 put to vote nor take effect.

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

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