S T A T E O F N E W Y O R K

6838--A

Cal. No. 455

2009-2010 Regular Sessions

I N A S S E M B L Y

March 13, 2009

Introduced by M. of A. SCOZZAFAVA, RUSSELL -- read once and referred to the Committee on Judiciary -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the judiciary law, in relation to the appointment of grand jury stenographers by the district attorney of the county of Jefferson

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

Section 1. Section 322 of the judiciary law, as amended by chapter 457 of the laws of 2009, is amended to read as follows:

S 322. Stenographers to be citizens and residents of county where appointed. Every stenographer appointed under the provisions of this [title] ARTICLE shall be a citizen and resident of the county in which he OR SHE is appointed, except that the district attorney of Warren county may appoint a stenographer residing either in the county of Washington or in the county of Saratoga and the district attorney of Hamilton county may appoint a stenographer residing in the county of Fulton and the district attorney of Wyoming county may appoint a stenographer residing either in the county of Genesee or in the county of Livingston and the district attorney of Madison county may appoint a stenographer residing either in the county of Onondaga or in the county of Oneida or in any county in the sixth judicial district and the district attorney of Allegany county may appoint a stenographer residing in the county of Steuben or in any county in the eighth judicial district and the district attorney of Niagara county may appoint a stenographer residing in the county of Erie, Genesee or Orleans and the district attorneys of Chemung, Tioga, Tompkins and Otsego counties may each appoint a stenographer residing in any county in the sixth judicial district and the district attorney of Schoharie county may appoint a stenographer residing in any county in the third judicial district and the district attor-

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

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ney of Washington county may appoint a stenographer residing either in the county of Saratoga or in the county of Warren and the district attorney of Saratoga county may appoint a stenographer residing in either Schenectady county, or Albany county or Rensselaer county and the district attorneys of Columbia and Greene counties may appoint a stenographer residing in any county of the third judicial district and the district attorneys of Seneca county, Ontario county, Wayne county, Livingston county and Yates county may appoint a stenographer residing in any county of the seventh judicial district and the district attorney of Cayuga county may appoint a stenographer residing in the county of Onondaga, the county of Tompkins or in any county of the seventh judicial district and the district attorney of Albany county may appoint a stenographer residing in either Schenectady county or in any county of the third judicial district and the district attorneys of Rockland and Putnam counties may appoint a stenographer residing in any county of the ninth judicial district and the district attorney in Orleans county may appoint a stenographer residing in any county of the eighth judicial district and the several district attorneys within the city of New York may appoint stenographers residing in any county within such city and the district attorneys of Lewis and Oswego counties may appoint a stenographer residing in any county in the fifth judicial district and the district attorney of Chautauqua county may appoint a stenographer residing in Erie county and the district attorney of Cattaraugus county may appoint a stenographer residing in any county in the eighth judicial district and the district attorney of Schenectady county may appoint a stenographer residing in either Albany county or in any county of the third judicial district AND THE DISTRICT ATTORNEY OF JEFFERSON COUNTY MAY APPOINT A STENOGRAPHER RESIDING IN THE COUNTY OF ST. LAWRENCE OR IN ANY COUNTY IN THE FIFTH JUDICIAL DISTRICT.

S 2. This act shall take effect immediately.