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

7469

2009-2010 Regular Sessions

I N A S S E M B L Y

April 9, 2009

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

AN ACT to amend the municipal home rule law, in relation to authorizing the electronic transmission of proposed local laws to members of a local legislative body

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

Section 1. Subdivision 4 of section 20 of the municipal home rule law, as amended by chapter 45 of the laws of 1974, is amended to read as follows:

4. A proposed local law may be introduced only by a member of the legislative body at a meeting of such body or as may be otherwise prescribed by the rules of procedure adopted by the legislative body. No such local law shall be passed until it shall have been in its final form and either (a) upon the desks or table of the members at least seven calendar days, exclusive of Sunday, prior to its final passage, or (b) mailed to each of them in postpaid properly addressed and securely closed envelopes or wrappers in a post box or post office of the United States post office department within the local government at least ten calendar days, exclusive of Sunday, prior to its final passage, OR (C) E-MAILED TO THE E-MAIL IN-BOX OF EACH OF THEM IN THE PORTABLE DOCUMENT FORMAT (PDF) AT LEAST TEN CALENDAR DAYS, EXCLUSIVE OF SUNDAY, PRIOR TO ITS FINAL PASSAGE, PROVIDED THAT (I) THE LOCAL GOVERNMENT HAS DOCUMENTED THAT EACH MEMBER OF THE LEGISLATIVE BODY HAS AN E-MAIL ADDRESS, (II) THE LOCAL GOVERNMENT HAS PUBLISHED SUCH E-MAIL ADDRESS ON THE BULLETIN BOARD OF THE LOCAL GOVERNMENT CLERK, AND (III) THE LEGISLATIVE BODY HAS ADOPTED A RESOLUTION AUTHORIZING SUCH ELECTRONIC DELIVERY; unless the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors, in the case of a county, the mayor in the case of a city or village or the supervisor in the case of a town shall have certified as to the necessity for its immediate passage and such local law be passed by the affirmative vote of two-thirds of the total voting power of the legislative body.

S 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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