

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

S. 5554

A. 8355

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

May 15, 2009

IN SENATE -- Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

IN ASSEMBLY -- Introduced by M. of A. McENENY -- read once and referred to the Committee on Judiciary

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

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

1 Section 1. Section 322 of the judiciary law, as amended by chapter 639
2 of the laws of 1992 and subdivision 1 as amended by chapter 163 of the
3 laws of 2007, is amended to read as follows:
4 S 322. Stenographers to be citizens and residents of county where
5 appointed. [1.] Every stenographer appointed under the provisions of
6 this title shall be a citizen and resident of the county in which he is
7 appointed, except that the district attorney of Warren county may
8 appoint a stenographer residing either in the county of Washington or in
9 the county of Saratoga and the district attorney of Hamilton county may
10 appoint a stenographer residing in the county of Fulton and the district
11 attorney of Wyoming county may appoint a stenographer residing either in
12 the county of Genesee or in the county of Livingston and the district
13 attorney of Madison county may appoint a stenographer residing either in
14 the county of Onondaga or in the county of Oneida or in any county in
15 the sixth judicial district and the district attorney of Allegany county
16 may appoint a stenographer residing in the county of Steuben or in any
17 county in the eighth judicial district and the district attorney of
18 Niagara county may appoint a stenographer residing in the county of
19 Erie, Genesee or Orleans and the district attorneys of Chemung, Tioga,
20 Tompkins and Otsego counties may each appoint a stenographer residing in
21 any county in the sixth judicial district and the district attorney of

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

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1 Schoharie county may appoint a stenographer residing in any county in
2 the third judicial district and the district attorney of Washington
3 county may appoint a stenographer residing either in the county of Sara-
4 toga or in the county of Warren and the district attorney of Saratoga
5 county may appoint a stenographer residing in either Schenectady county,
6 or Albany county or Rensselaer county and the district attorneys of
7 Columbia and Greene counties may appoint a stenographer residing in any
8 county of the third judicial district and the district attorneys of
9 Seneca county, Ontario county, Wayne county, Livingston county and Yates
10 county may appoint a stenographer residing in any county of the seventh
11 judicial district and the district attorney of Cayuga county may appoint
12 a stenographer residing in the county of Onondaga, the county of Tomp-
13 kins or in any county of the seventh judicial district and the district
14 attorney of Albany county may appoint a stenographer residing in either
15 Schenectady county or in any county of the third judicial district and
16 the district attorneys of Rockland and Putnam counties may appoint a
17 stenographer residing in any county of the ninth judicial district and
18 the district attorney in Orleans county may appoint a stenographer
19 residing in any county of the eighth judicial district and the several
20 district attorneys within the city of New York may appoint stenographers
21 residing in any county within such city and the district attorneys of
22 Lewis and Oswego counties may appoint a stenographer residing in any
23 county in the fifth judicial district and the district attorney of Chau-
24 tauqua county may appoint a stenographer residing in Erie county and the
25 district attorney of Cattaraugus county may appoint a stenographer
26 residing in any county in the eighth judicial district AND THE DISTRICT
27 ATTORNEY OF SCHENECTADY COUNTY MAY APPOINT A STENOGRAPHER RESIDING IN
28 EITHER ALBANY COUNTY OR IN ANY COUNTY OF THE THIRD JUDICIAL DISTRICT.

29 [2. The provisions of subdivision one of this section shall not apply
30 to any person appointed by the district attorney of Schenectady county
31 as a stenographer, who was appointed to such position on or before the
32 effective date of this subdivision.]

33 S 2. This act shall take effect immediately.