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

178

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

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

AN ACT to amend the judiciary law, in relation to the seal of Cortland county and of the county clerk, supreme court and county court

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

Section 1. The judiciary law is amended by adding a new section 30-f to read as follows:

S 30-F. SEAL OF CORTLAND COUNTY AND OF THE COUNTY CLERK, THE SUPREME COURT AND THE COUNTY COURT IN SAID COUNTY. 1. THE COUNTY OF CORTLAND, THE COUNTY CLERK OF SAID COUNTY AND THE SUPREME COURT AND THE COUNTY COURT THEREIN SHALL HAVE AND USE THE FOLLOWING SEAL:

DESCRIPTION OF SEAL

THE SEAL SHALL BE APPROXIMATELY 2 1/4 INCHES IN DIAMETER. THE OUTER BORDER SHALL CONSIST OF INVERTED SCALLOPS WITH AN INNER SMOOTH CIRCLE BORDER. ALONG THE UPPER OUTSIDE OF THE CIRCLE SHALL BE THE INSCRIPTION IN CAPITAL BLOCK LETTERING "SEAL OF CORTLAND COUNTY, N.Y." ALONG THE LOWER OUTSIDE OF THE CIRCLE SHALL BE THE INSCRIPTION IN CAPITAL BLOCK LETTERING "A.D. 1808." THE CENTER SHALL CONSIST OF A SHIELD TOPPED BY AN EAGLE AND WREATH OF LAURELS. THE SHIELD SHALL FEATURE 13 STARS IN A FIELD OF BLUE, ABOVE A RED AND WHITE STRIPED BASE. THE LEFT SIDE OF THE SEAL SHALL CONSIST OF A MAN WITH A SHEAF OF WHEAT. THE RIGHT SIDE OF THE SEAL SHALL CONSIST OF A MAN WITH A HAMMER AND WHEEL, WITH A FACTORY BEHIND. BOTH MEN SHALL HAVE HANDS RESTING ON THE CENTER SHIELD. THE FOREGROUND OF THE SEAL, AT THE BASE OF THE SHIELD SHALL CONSIST OF A MOUND OF CORTLAND APPLES.

2. THE COUNTY CLERK OF CORTLAND COUNTY SHALL CAUSE THE DESIGN OF SAID SEAL (IN BLACK AND WHITE) TO BE ENGRAVED UPON METAL. FROM TIME TO TIME THE COUNTY CLERK SHALL OBTAIN AND MAKE AVAILABLE, AND KEEP IN GOOD ORDER AND REPAIR AS MANY OF SUCH ENGRAVED METAL SEALS AS MAY BE NECESSARY FOR

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

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THE PROPER PERFORMANCE OF THE DUTIES OF THE OFFICE AND OF THE DUTIES OF THE CLERKS AND OFFICERS IN THE SUPREME AND COUNTY COURTS AUTHORIZED TO USE SAID SEAL. ALL THE EXPENSE INCURRED BY THE COUNTY CLERK INCIDENT TO SAID SEAL SHALL BE A COUNTY CHARGE AGAINST THE COUNTY OF CORTLAND.

3. SUCH SEAL SHALL BE USED AND AFFIXED ONLY:

(A) BY THE COUNTY CLERK OF CORTLAND COUNTY OR BY ANY DEPUTY OR CLERK DULY AUTHORIZED BY THEM;

(B) BY ANY JUDICIAL CLERK OF THE SUPREME OR COUNTY COURT RESIDENT IN CORTLAND COUNTY, DULY AUTHORIZED BY SAID COUNTY CLERK; AND

(C) ANY COUNTY OFFICER OR OTHER PERSON AUTHORIZED BY LAW TO EXECUTE OFFICIAL DOCUMENTS ON BEHALF OF THE COUNTY.

4. THE USE OF SAID SEAL OR OF ANY REPLICA OR SIMULATION THEREOF, IN FORM OR SUBSTANCE, BY ANY UNAUTHORIZED PERSON OR FOR ANY WRONGFUL PURPOSE, IS PROHIBITED. ANY VIOLATION OF THIS PROHIBITION SHALL BE DEEMED TO BE A MISDEMEANOR AND PUNISHABLE AS SUCH.

S 2. This act shall take effect immediately.