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:

Section 1. Section 322 of the judiciary law, as amended by chapter 639 of the laws of 1992 and subdivision 1 as amended by chapter 163 of the laws of 2007, is amended to read as follows:

S 322. Stenographers to be citizens and residents of county where appointed. [1.] Every stenographer appointed under the provisions of this title shall be a citizen and resident of the county in which he 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

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

LBD11837-01-9

Schoharie county may appoint a stenographer residing in any county in the third judicial district and the district attorney 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.

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

S 2. This act shall take effect immediately.