

689

2009-2010 Regular Sessions

I N S E N A T E

January 12, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law and the public officers law, in relation to authorizing town justices in the town of Willing, in the county of Allegany, to reside outside such town

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

- 1 Section 1. Section 23 of the town law is amended by adding a new
2 subdivision 23 to read as follows:
3 23. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,
4 IN THE TOWN OF WILLING, IN THE COUNTY OF ALLEGANY, THE PERSONS PERFORM-
5 ING THE FUNCTIONS OF TOWN JUSTICE NEED NOT BE ELECTORS OF SUCH TOWN.
6 PROVIDED, HOWEVER, THE PERSONS PERFORMING THE FUNCTIONS OF TOWN JUSTICE
7 IN ANY OTHER TOWN SHALL BE ELECTORS OF SUCH TOWN UNLESS OTHERWISE
8 PROVIDED BY LAW.
9 S 2. Section 3 of the public officers law is amended by adding a new
10 subdivision 56 to read as follows:
11 56. IN THE TOWN OF WILLING, IN THE COUNTY OF ALLEGANY, THE PROVISIONS
12 OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL
13 SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE
14 SHALL BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE
15 REQUIRED TO BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE
16 OFFICE OF TOWN JUSTICE OF THE TOWN OF WILLING, PROVIDED THAT SUCH PERSON
17 RESIDES IN A TOWN WHICH ADJOINS SUCH TOWN AND WHICH IS IN THE COUNTY OF
18 ALLEGANY. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF TOWN
19 JUSTICE IN ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS
20 OTHERWISE PROVIDED BY LAW.
21 S 3. 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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