

7344

I N   S E N A T E

March 31, 2010

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Introduced by Sens. HUNTLEY, PARKER -- read twice and ordered printed,  
and when printed to be committed to the Committee on Local Government

AN ACT to amend the municipal home rule law, in relation to charter  
revision commissions

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

1     Section 1. Section 36 of the municipal home rule law is amended by  
2     adding a new subdivision 4-a to read as follows:  
3     4-A.     IF A COMMISSION IS CREATED PURSUANT TO THIS SECTION AFTER THE  
4     FIFTEENTH DAY OF FEBRUARY OF ANY YEAR, SUCH COMMISSION MAY NOT PLACE ANY  
5     PROPOSALS ON THE BALLOT UNTIL THE SUBSEQUENT CALENDAR YEAR FOLLOWING ITS  
6     CREATION; PROVIDED, THAT SUCH COMMISSION, WITH APPROVAL OF THE LEGISLA-  
7     TIVE BODY MAY PLACE A PROPOSAL ON THE BALLOT IN THE YEAR IT WAS CREATED,  
8     REGARDLESS OF THE DATE SUCH COMMISSION WAS CREATED. PRIOR TO THE  
9     CONSIDERATION OF ANY PROPOSALS BY THE COMMISSION, SUCH COMMISSION SHALL  
10    HOLD ONE OR MORE PUBLIC HEARINGS IN ORDER TO ACQUIRE PUBLIC OPINION  
11    REGARDING WHAT REVISIONS SHOULD BE CONSIDERED AS PROPOSED CHANGES TO THE  
12    CHARTER. FOLLOWING A DETERMINATION BY THE COMMISSION REGARDING WHICH  
13    PROPOSED CHANGES SHALL BE PLACED ON THE BALLOT FOR CONSIDERATION BY  
14    ELECTORS, SUCH COMMISSION SHALL HOLD ONE OR MORE PUBLIC HEARINGS IN  
15    ORDER TO ACQUIRE PUBLIC OPINION REGARDING SUCH PROPOSALS. PROPOSALS FOR  
16    SPECIFIC CHANGES TO THE CHARTER RECOMMENDED BY SUCH COMMISSION SHALL, TO  
17    THE MAXIMUM EXTENT PRACTICABLE, BE SEPARATELY IDENTIFIED ON THE BALLOT  
18    FOR SEPARATE VOTER CONSIDERATION.  
19    S 2. This act shall take effect immediately, and shall be deemed to  
20    have been in full force and effect on and after January 1, 2010, and  
21    shall apply to any charter revision commission coming into existence on  
22    or after January 1, 2010; provided that any charter revision commission  
23    that is in existence prior to January 1, 2010 and which is not in  
24    compliance with the provisions of this act is hereby terminated, and no  
25    proposed new charter or amendment offered by such commission shall be  
26    put to vote nor take effect.

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

LBD16334-06-0