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

8248

I N S E N A T E

June 17, 2010

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

AN ACT to amend the village law and the public officers law, in relation to the residency requirement for the village clerk of the village of Aurora, Cayuga county

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

Section 1. Subdivision 14 of section 3-300 of the village law, as added by chapter 373 of the laws of 1999, is amended to read as follows:

14. Notwithstanding any provisions of this chapter or any other general law, local law, ordinance or special act, the village board of trustees of the incorporated village of Aurora, Cayuga county, may, by resolution, provide that the office of treasurer of such village may be held by a person who is not a resident of such village, provided that such person resides within the county in which such village is located or in an adjoining county within the state of New York AND MAY, BY RESOLUTION, PROVIDE THAT THE OFFICE OF CLERK OF SUCH VILLAGE MAY BE HELD BY A PERSON WHO IS NOT A RESIDENT OF SUCH VILLAGE, PROVIDED THAT SUCH PERSON RESIDES WITHIN THE COUNTY IN WHICH SUCH VILLAGE IS LOCATED OR IN AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF VILLAGE CLERK IN ANY OTHER VILLAGE SHALL BE AN ELECTOR OF SUCH VILLAGE, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 2. Section 3 of the public officers law is amended by adding a new subdivision 57 to read as follows:

57. IN THE VILLAGE OF AURORA, IN THE COUNTY OF CAYUGA, THE PROVISIONS OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF CLERK OF THE VILLAGE PROVIDED THAT SUCH PERSON RESIDES IN THE COUNTY IN WHICH SUCH VILLAGE IS LOCATED OR AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF VILLAGE CLERK IN ANY OTHER VILLAGE SHALL BE AN ELECTOR OF SUCH VILLAGE, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 3. This act shall take effect immediately.

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

LBD17084-03-0