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

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I N A S S E M B L Y

March 9, 2010

Introduced by M. of A. BRENNAN, BENEDETTO, CRESPO, DenDEKKER, CASTRO, GLICK, JEFFRIES, KOON, GIBSON, BARRON -- Multi-Sponsored by -- M. of A. COLTON, GOTTFRIED, MAISEL, MENG, ORTIZ -- read once and referred to the Committee on Cities -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading -- again amended on third reading, ordered reprinted, retaining its place on the order of third reading

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:

Section 1. Section 36 of the municipal home rule law is amended by adding a new subdivision 4-a to read as follows:

4-A. IF A COMMISSION IS CREATED PURSUANT TO THIS SECTION AFTER THE FIFTEENTH DAY OF FEBRUARY OF ANY YEAR, SUCH COMMISSION MAY NOT PLACE ANY PROPOSALS ON THE BALLOT UNTIL THE SUBSEQUENT CALENDAR YEAR FOLLOWING ITS CREATION; PROVIDED, THAT SUCH COMMISSION, WITH APPROVAL OF THE LEGISLATIVE BODY, MAY PLACE A PROPOSAL ON THE BALLOT IN THE YEAR IT WAS CREATED, REGARDLESS OF THE DATE SUCH COMMISSION WAS CREATED. PRIOR TO THE CONSIDERATION OF ANY PROPOSALS BY THE COMMISSION, SUCH COMMISSION SHALL HOLD ONE OR MORE PUBLIC HEARINGS IN ORDER TO ACQUIRE PUBLIC OPINION REGARDING WHAT REVISIONS SHOULD BE CONSIDERED AS PROPOSED CHANGES TO THE CHARTER. FOLLOWING A DETERMINATION BY THE COMMISSION REGARDING WHICH PROPOSED CHANGES SHALL BE PLACED ON THE BALLOT FOR CONSIDERATION BY ELECTORS, SUCH COMMISSION SHALL HOLD ONE OR MORE PUBLIC HEARINGS IN ORDER TO ACQUIRE PUBLIC OPINION REGARDING SUCH PROPOSALS. PROPOSALS FOR SPECIFIC CHANGES TO THE CHARTER RECOMMENDED BY SUCH COMMISSION SHALL, TO THE MAXIMUM EXTENT PRACTICABLE, BE SEPARATELY IDENTIFIED ON THE BALLOT FOR SEPARATE VOTER CONSIDERATION.

S 2. This act shall take effect immediately, and shall be deemed to have been in full force and effect on and after January 1, 2010, and shall apply to any charter revision commission coming into existence on or after January 1, 2010; provided that any charter revision commission that is in existence prior to January 1, 2010 and which is not in compliance with the provisions of this act is hereby terminated, and no proposed new charter or amendment offered by such commission shall be put to vote nor take effect.

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

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