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

10500

I N A S S E M B L Y

May 29, 2012

Introduced by M. of A. THIELE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law and the village law, in relation to permitting village justices of the village of Westhampton Beach to live in the town of Southampton

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

Section 1. Section 3 of the public officers law is amended by adding a new subdivision 59 to read as follows:

59. IN THE VILLAGE OF WESTHAMPTON BEACH, IN THE COUNTY OF SUFFOLK, 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 VILLAGE JUSTICE OF THE VILLAGE OF WESTHAMPTON BEACH, PROVIDED THAT SUCH PERSON RESIDES IN THE TOWN OF SOUTHAMPTON. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF VILLAGE JUSTICE IN ANY OTHER VILLAGE SHALL BE A RESIDENT OF SUCH VILLAGE UNLESS OTHERWISE PROVIDED BY LAW.

S 2. Section 3-300 of the village law is amended by adding a new subdivision 21 to read as follows:

21. 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 WESTHAMPTON BEACH, SUFFOLK COUNTY, MAY, BY RESOLUTION, PROVIDE THAT THE OFFICE OF VILLAGE JUSTICE OF SUCH VILLAGE MAY BE HELD BY A PERSON WHO IS NOT A RESIDENT OF SUCH VILLAGE, PROVIDED THAT SUCH PERSON RESIDES WITHIN THE TOWN OF SOUTHAMPTON WITHIN SUFFOLK COUNTY.

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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