

1432

2011-2012 Regular Sessions

I N A S S E M B L Y

January 10, 2011

Introduced by M. of A. BRENNAN, BENEDETTO, CRESPO, DenDEKKER, CASTRO, GLICK, JEFFRIES, GIBSON, BARRON, PERRY, M. MILLER, ROSENTHAL -- Multi-Sponsored by -- M. of A. COLTON, GOTTFRIED, MAISEL, MENG, ORTIZ, PHEFFER -- read once and referred to the Committee on Cities

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  
8 CREATED, REGARDLESS OF THE DATE SUCH COMMISSION WAS CREATED. PRIOR TO  
9 THE CONSIDERATION OF ANY PROPOSALS BY THE COMMISSION, SUCH COMMISSION  
10 SHALL HOLD ONE OR MORE PUBLIC HEARINGS IN ORDER TO ACQUIRE PUBLIC OPIN-  
11 ION REGARDING WHAT REVISIONS SHOULD BE CONSIDERED AS PROPOSED CHANGES TO  
12 THE 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, 2011, and  
21 shall apply to any charter revision commission coming into existence on  
22 or after January 1, 2011; provided that any charter revision commission  
23 that is in existence prior to January 1, 2011 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.

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