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

S. 5475 A. 7933

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

May 25, 2011

IN SENATE -- Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. SAYWARD -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law and the public officers law, in relation to authorizing town justices in the town of Benson, in the county of Hamilton, to reside outside such town

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

Section 1. Section 23 of the town law is amended by adding a new subdivision 24 to read as follows:

24. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF BENSON, IN THE COUNTY OF HAMILTON, THE PERSONS PERFORMING THE FUNCTIONS OF TOWN JUSTICE NEED NOT BE ELECTORS OF SUCH TOWN. PROVIDED, HOWEVER, THE PERSONS PERFORMING THE FUNCTIONS OF TOWN JUSTICE IN ANY OTHER TOWN SHALL BE ELECTORS OF SUCH TOWN UNLESS OTHERWISE PROVIDED BY LAW.

S 2. Section 3 of the public officers law is amended by adding a new subdivision 58 to read as follows:

58. IN THE TOWN OF BENSON, IN THE COUNTY OF HAMILTON, 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 TOWN JUSTICE OF THE TOWN OF BENSON, PROVIDED THAT SUCH PERSON RESIDES IN A TOWN WHICH ADJOINS SUCH TOWN. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF TOWN JUSTICE IN ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY LAW.

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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