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

9795

I N A S S E M B L Y

April 5, 2012

Introduced by M. of A. J. MILLER -- 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 the eligibility of certain town officers

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 25 to read as follows:

25. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF FISHKILL, DUTCHESS COUNTY, THE PERSON PERFORMING THE FUNCTION OF COMPTROLLER NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF COMPTROLLER IN ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, 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 59 to read as follows:

59. IN THE TOWN OF FISHKILL, IN THE COUNTY OF DUTCHESS, 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 COMPTROLLER OF THE TOWN OF FISHKILL, PROVIDED THAT SUCH PERSON RESIDES IN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF COMPTROLLER 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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