

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

- 1     Section 1. Section 23 of the town law is amended by adding a new  
2     subdivision 25 to read as follows:  
3     25. NOTWITHSTANDING SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF  
4     FISHKILL, DUTCHESS COUNTY, THE PERSON PERFORMING THE FUNCTION OF COMP-  
5     TROLLER NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOWEVER, THE  
6     PERSON PERFORMING THE FUNCTIONS OF COMPTROLLER IN ANY OTHER TOWN SHALL  
7     BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE  
8     STATE LEGISLATURE.  
9     S 2. Section 3 of the public officers law is amended by adding a new  
10    subdivision 59 to read as follows:  
11    59. IN THE TOWN OF FISHKILL, IN THE COUNTY OF DUTCHESS, THE PROVISIONS  
12    OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL  
13    SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE  
14    SHALL BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE  
15    REQUIRED TO BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE  
16    OFFICE OF COMPTROLLER OF THE TOWN OF FISHKILL, PROVIDED THAT SUCH PERSON  
17    RESIDES IN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON PERFORM-  
18    ING THE FUNCTIONS OF COMPTROLLER IN ANY OTHER TOWN SHALL BE A RESIDENT  
19    OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY LAW.  
20    S 3. This act shall take effect immediately.

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

LBD15252-01-2