

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:

- 1 Section 1. Section 23 of the town law is amended by adding a new
2 subdivision 24 to read as follows:
3 24. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,
4 IN THE TOWN OF BENSON, IN THE COUNTY OF HAMILTON, THE PERSONS PERFORMING
5 THE FUNCTIONS OF TOWN JUSTICE NEED NOT BE ELECTORS OF SUCH TOWN.
6 PROVIDED, HOWEVER, THE PERSONS PERFORMING THE FUNCTIONS OF TOWN JUSTICE
7 IN ANY OTHER TOWN SHALL BE ELECTORS OF SUCH TOWN UNLESS OTHERWISE
8 PROVIDED BY LAW.
9 S 2. Section 3 of the public officers law is amended by adding a new
10 subdivision 58 to read as follows:
11 58. IN THE TOWN OF BENSON, IN THE COUNTY OF HAMILTON, 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 TOWN JUSTICE OF THE TOWN OF BENSON, PROVIDED THAT SUCH PERSON
17 RESIDES IN A TOWN WHICH ADJOINS SUCH TOWN. PROVIDED, HOWEVER, THE
18 PERSON PERFORMING THE FUNCTIONS OF TOWN JUSTICE IN ANY OTHER TOWN SHALL
19 BE A RESIDENT 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.

LBD11757-01-1