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

3911

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the village law and the public officers law, in relation to the residency of certain officers of the village of Penn Yan, county of Yates

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

Section 1. Section 3-300 of the village law is amended by adding a new subdivision 22 to read as follows:

22. NOTWITHSTANDING ANY PROVISIONS OF THIS CHAPTER OR ANY OTHER GENERAL LAW, LOCAL LAW, ORDINANCE OR SPECIAL ACT, THE VILLAGE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF PENN YAN, COUNTY OF YATES, MAY, BY RESOLUTION, PROVIDE THAT THE OFFICE OF VILLAGE CLERK-TREASURER OF SUCH VILLAGE MAY BE HELD BY A PERSON WHO IS NOT A RESIDENT OF SUCH VILLAGE, PROVIDED THAT SUCH PERSON RESIDES IN THE COUNTY OF YATES OR IN AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK.

S 2. Section 3 of the public officers law is amended by adding a new subdivision 60 to read as follows:

60. IN THE VILLAGE OF PENN YAN, COUNTY OF YATES, 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 VILLAGE CLERK-TREASURER OF THE VILLAGE OF PENN YAN, PROVIDED THAT SUCH PERSON RESIDES IN THE COUNTY IN WHICH SUCH VILLAGE IS LOCATED OR IN AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF VILLAGE CLERK-TREASURER IN ANY OTHER VILLAGE SHALL BE A RESIDENT OF SUCH VILLAGE, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 3. This act shall take effect immediately.

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

LBD08884-01-3