

8336

2013-2014 Regular Sessions

I N A S S E M B L Y

December 18, 2013

Introduced by M. of A. ZEBROWSKI, GALEF, ABINANTI, MAGNARELLI, SEPULVEDA, MARKEY, McDONOUGH, MONTESANO -- Multi-Sponsored by -- M. of A. SCHIMEL, TITONE -- read once and referred to the Committee on Judiciary

AN ACT to amend the uniform justice court act, in relation to establishing minimum educational requirements of certain town and village justices

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

1 Section 1. The uniform justice court act is amended by adding a new  
2 section 105-a to read as follows:

3 S 105-A. MINIMUM EDUCATIONAL REQUIREMENTS OF CERTAIN TOWN AND VILLAGE  
4 JUSTICES.

5 A. NOTWITHSTANDING ANY PROVISION OF LAW, NO PERSON OTHER THAN ONE  
6 SERVING AS A TOWN OR VILLAGE JUSTICE ON THE EFFECTIVE DATE OF THIS  
7 SECTION SHALL BE ELIGIBLE FOR SELECTION AS A TOWN OR VILLAGE JUSTICE  
8 UNLESS HE OR SHE HAS GRADUATED FROM AN ACCREDITED INSTITUTION OF HIGHER  
9 EDUCATION WITH AN ASSOCIATE OR BACCALAUREATE DEGREE.

10 B. NOTWITHSTANDING ANY PROVISION OF LAW, ANY TOWN OF THE FIRST CLASS  
11 OR VILLAGE WITH A POPULATION EXCEEDING TEN THOUSAND, BY A MAJORITY VOTE  
12 OF THE GOVERNING BODY OF SUCH TOWN OR VILLAGE, MAY REQUIRE A PERSON WHO  
13 SERVES AS A JUSTICE TO BE ADMITTED TO PRACTICE LAW IN THE STATE. UPON  
14 ELECTION OF THIS REQUIREMENT BY AN ELIGIBLE LOCAL GOVERNMENT, THE  
15 GOVERNING BODY SHALL NOTIFY THE CHIEF ADMINISTRATOR OF THE STATE. ANY  
16 CHANGE IN THE REQUIREMENTS FOR ELIGIBILITY TO SERVE AS JUSTICE SHALL  
17 TAKE EFFECT ON THE NEXT ELECTION FOLLOWING THE ENACTMENT OF THE LOCAL  
18 LAW. A JUSTICE WHO CEASES TO SATISFY A LOCAL REQUIREMENT AS PROVIDED BY  
19 THIS SECTION SHALL BE DEEMED TO VACATE SUCH OFFICE.

20 S 2. This act shall take effect on the first of January next succeed-  
21 ing the date on which it shall have become a law.

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

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