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

8760--A

I N A S S E M B L Y

February 12, 2014

Introduced by M. of A. STEC -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to the qualifications for holding the office of assistant district attorney in the county of Essex

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

Section 1. Section 3 of the public officers law is amended by adding a new subdivision 62 to read as follows:

62. IN THE COUNTY OF ESSEX, 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 ASSISTANT DISTRICT ATTORNEY OF THE COUNTY OF ESSEX, PROVIDED THAT SUCH PERSON RESIDES IN ESSEX COUNTY OR AN ADJOINING COUNTY WITHIN THE STATE OF NEW YORK; PROVIDED, HOWEVER, THAT ANY PERSON PERFORMING SUCH FUNCTIONS OR HOLDING THE OFFICE OF ASSISTANT DISTRICT ATTORNEY IN ANY OTHER COUNTY SHALL BE A RESIDENT OF SUCH COUNTY UNLESS OTHERWISE PROVIDED BY LAW. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO ANY PERSON HOLDING THE OFFICE OF FIRST ASSISTANT DISTRICT ATTORNEY OR CHIEF ASSISTANT DISTRICT ATTORNEY, THE HOLDER OF WHICH WOULD ASSUME THE DUTIES OF THE DISTRICT ATTORNEY UPON THE DISTRICT ATTORNEY'S ABSENCE FROM THE COUNTY OR UPON THE DISTRICT ATTORNEY'S INABILITY TO PERFORM HIS OR HER DUTIES.

S 2. 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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