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

2122--A

Cal. No. 231

2013-2014 Regular Sessions

I N S E N A T E

January 11, 2013

Introduced by Sens. LATIMER, DILAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT in relation to authorizing the Eastchester fire district, in the town of Eastchester, county of Westchester, to change the date of its annual election

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

Section 1. Notwithstanding the provision of subdivision one of section 175 of the town law generally requiring holding annual fire district elections on the second Tuesday in December, and notwithstanding the provision of subdivision 6 of section 175 of the town law related to the number of electors in each fire district election district: the Eastchester fire district, in the town of Eastchester, county of Westchester, whose boundaries only encompass the entire corporate limits of the town of Eastchester and each village within such town and where the only eligible electors of such fire district are also eligible electors of such town and villages, shall hold its annual election on the Tuesday next succeeding the first Monday in November provided that (i) such fire district election is held at every polling site as may be established by the Westchester county board of elections; (ii) such fire district election districts are the same as the election districts as may be established by the Westchester county board of elections, such that an elector shall not be required to visit more than one polling site on such date; (iii) such fire district polls remain open for the same hours as the polls administered by the Westchester county board of elections; (iv) both of the Westchester county board of elections commissioners approve in writing of such fire district elections being held in the same locations as the elections held on the Tuesday next succeeding the

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

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first Monday in November administered by such board of elections; and (v) the Eastchester fire district adheres to the provisions of section 175 of the town law that are not inconsistent with this act.

S 2. Notwithstanding the provisions of section 179 of the town law authorizing fire districts to hold special elections to vote upon appropriations, or any other law that would authorize the Eastchester fire district to hold a special election, all elections of the Eastchester fire district shall be held on the Tuesday next succeeding the first Monday in November in the manner provided for by this act.

S 3. Nothing in this act shall be construed to require the Westchester county board of elections to authorize, administer, or otherwise oversee the Eastchester fire district elections, provided, however, that such county board of elections shall be authorized to provide technical assistance to such fire district.

S 4. This act shall take effect immediately.