

6312

I N   S E N A T E

January 13, 2014

---

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

AN ACT to amend the village law, in relation to authorizing the appointment of an additional acting village justice by villages

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

1     Section 1. Paragraph a of subdivision 2 of section 3-301 of the  
2     village law, as amended by chapter 555 of the laws of 2006, is amended  
3     to read as follows:  
4     a. except as provided in section 3-303 of this article, no more than  
5     two village justices, but in the event a village has one justice, it  
6     shall also have an acting justice who shall serve when requested by the  
7     village justice or in the absence or inability of the village justice to  
8     serve. A VILLAGE THAT HAS ONE JUSTICE, MAY ADOPT A RESOLUTION ON UNANI-  
9     MOUS CONSENT OF THE VILLAGE BOARD OF TRUSTEES TO AUTHORIZE THE APPOINT-  
10    MENT OF A SECOND ACTING VILLAGE JUSTICE TO SERVE WHEN REQUESTED BY THE  
11    VILLAGE JUSTICE OR IN THE ABSENCE OR INABILITY OF THE VILLAGE JUSTICE OR  
12    ACTING VILLAGE JUSTICE TO SERVE. The office of village justice is  
13    continued in every village in which it is now established. The board of  
14    trustees of any other village may establish such office by resolution or  
15    local law, subject to a permissive referendum. The board of trustees of  
16    any village by resolution or local law, subject to permissive referen-  
17    dum, may abolish such office, but to take effect only upon the expira-  
18    tion of the then current term of such office, or establish the office of  
19    additional village justices, which justice once elected shall have all  
20    the powers and duties of a village justice. The resolution or local law  
21    in the latter case shall provide for a term pursuant to section 3-302 of  
22    this article. The clerk of the court of a village shall be discharged  
23    from employment only upon the advice and consent of the village justice  
24    or justices when the clerk, in his or her village duties, works solely  
25    for the village justice or justices.  
26    S 2. This act shall take effect immediately.

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

LBD13468-01-4