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

6067

2015-2016 Regular Sessions

I N A S S E M B L Y

March 11, 2015

Introduced by M. of A. JAFFEE -- read once and referred to the Committee on Local Governments

AN ACT to amend the municipal home rule law, in relation to date of referenda

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

Section 1. Article 3 of the municipal home rule law is amended by adding a new section 29 to read as follows:

S 29. DATE OF REFERENDA. 1. A MUNICIPAL REFERENDUM OR REFERENDA REQUIRED BY THE FILING OF A PETITION PURSUANT TO LAW SHALL BE HELD ON THE STATE PRIMARY OF THAT YEAR IF THE PETITION IS DEEMED PROPER WITHIN SIXTY DAYS PRIOR TO SUCH STATE PRIMARY DATE BUT NOT LESS THAN THIRTY DAYS PRIOR TO SUCH STATE PRIMARY DATE.

2. A MUNICIPAL REFERENDUM OR REFERENDA REQUIRED BY THE FILING OF A PETITION PURSUANT TO LAW SHALL BE HELD ON ELECTION DAY OF THAT YEAR IF THE PETITION IS DEEMED PROPER WITHIN THIRTY DAYS PRIOR TO THE STATE PRIMARY DAY OF THAT YEAR, BUT NOT LESS THAN THIRTY DAYS PRIOR TO SUCH ELECTION DAY.

3. A MUNICIPAL REFERENDUM OR REFERENDA REQUIRED BY THE FILING OF A PETITION PURSUANT TO LAW AND THE PETITION IS DEEMED PROPER MORE THAN SIXTY DAYS PRIOR TO THE STATE PRIMARY DAY, OR LESS THAN THIRTY DAYS BEFORE ELECTION DAY SHALL BE HELD ON A DATE CHOSEN BY THE GOVERNING BODY OF THE MUNICIPALITY IN ACCORDANCE WITH EXISTING LAW.

4. THIS SECTION SHALL APPLY TO ALL MUNICIPALITIES, REGARDLESS OF POPULATION IN THE PRIOR DECENNIAL CENSUS.

5. NO LOCAL LAW SHALL SUPERSEDE ANY PROVISION OF THIS SECTION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD08207-02-5