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

8698

I N A S S E M B L Y

January 12, 2016

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

AN ACT to amend the town law, in relation to the term of office for town office

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

Section 1. Paragraph (a) of subdivision 2 of section 11 of the town law, as amended by chapter 738 of the laws of 1960, is amended to read as follows:

(a) Any town which shall have become a town of the first class, pursuant to subdivision one of this section, shall elect at the biennial town election immediately preceding the effective date of the change of classification, the following town officers: a supervisor, a town clerk [and], a town superintendent of highways [for terms of two years each,] and a receiver of taxes and assessments for a term of four years, except as otherwise provided by this chapter.

S 2. Paragraph (a) of subdivision 4 of section 12 of the town law, as added by chapter 85 of the laws of 1942, is amended to read as follows:

(a) Any town which shall have determined, pursuant to either method specified in subdivision one of this section, to become a town of the first class, shall elect, at the biennial town election immediately preceding the effective date of the change of classification, the following town officers: EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, a supervisor [for a term of two years, and, except as otherwise provided herein], a town clerk [and], a town superintendent of highways [for terms of two years each] and a receiver of taxes and assessments for a term of four years, EXCEPT AS OTHERWISE PROVIDED BY THIS CHAPTER.

S 3. Subdivision 1 of section 20 of the town law is amended by adding a new paragraph (q) to read as follows:

(Q) NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, THE TOWN BOARD OF ANY TOWN IN WHICH THE APPOINTIVE OFFICE OF SUPERVISOR, TOWN CLERK, TOWN SUPERINTENDENT OF HIGHWAYS OR A RECEIVER OF TAXES AND ASSESSMENTS EXISTS, MAY ADOPT A RESOLUTION AT LEAST ONE HUNDRED FIFTY DAYS PRIOR TO ANY BIENNIAL TOWN ELECTION,

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

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SUBJECT TO PERMISSIVE REFERENDUM, THAT SUCH OFFICE SHALL BE FOR A TERM OF TWO YEARS. EVERY ELECTOR OF THE TOWN SHALL BE ENTITLED TO VOTE AT ANY REFERENDUM HELD THEREON PURSUANT TO THE PROVISIONS OF ARTICLE SEVEN OF THIS CHAPTER. IF THE TOWN BOARD SHALL HAVE ADOPTED SUCH A RESOLUTION AND NO PETITION SHALL HAVE BEEN FILED WITHIN THE TIME SPECIFIED IN ARTICLE SEVEN OF THIS CHAPTER FOR A REFERENDUM THEREON, OR, IF A MAJORITY OF THE VOTES CAST ON ANY SUCH PROPOSITION SUBMITTED PURSUANT TO THE PROVISIONS OF ARTICLE SEVEN OF THIS CHAPTER BE IN THE AFFIRMATIVE, THE OFFICE OF TOWN SUPERVISOR, TOWN CLERK, TOWN SUPERINTENDENT OF HIGHWAYS OR A RECEIVER OF TAXES AND ASSESSMENTS SHALL BE ELECTED FOR A PERIOD OF TWO YEARS AT THE SUCCEEDING BIENNIAL TOWN ELECTION, AND BIENNIAL THEREAFTER.

S 4. This act shall take effect immediately.