

10039

I N   A S S E M B L Y

May 6, 2016

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

AN ACT to amend the town law and the public officers law, in relation to  
authorizing the town justice of the town of Allen, county of Allegany,  
to be a nonresident of such town

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

1     Section 1. Section 23 of the town law is amended by adding a new  
2     subdivision 30 to read as follows:  
3     30. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,  
4     IN THE TOWN OF ALLEN, IN THE COUNTY OF ALLEGANY, THE PERSON PERFORMING  
5     THE FUNCTION OF TOWN JUSTICE, NEED NOT BE AN ELECTOR OF SUCH TOWN.  
6     PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTION OF TOWN JUSTICE IN  
7     ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE  
8     PROVIDED BY AN ACT OF THE STATE LEGISLATURE.  
9     S 2. Section 3 of the public officers law is amended by adding a new  
10    subdivision 65 to read as follows:  
11    65. IN THE TOWN OF ALLEN, IN THE COUNTY OF ALLEGANY, THE PROVISIONS OF  
12    THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDI-  
13    VISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL  
14    BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO  
15    BE EXERCISED, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF TOWN  
16    JUSTICE OF THE TOWN OF ALLEN; PROVIDED THAT SUCH PERSON RESIDES IN A  
17    TOWN WHICH ADJOINS SUCH TOWN AND WHICH IS IN THE COUNTY OF ALLEGANY.  
18    PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTION OF TOWN JUSTICE IN  
19    ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS OTHERWISE  
20    PROVIDED BY LAW.  
21    S 3. 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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