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

7699--B

I N S E N A T E

May 12, 2016

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law and the public officers law, in relation to waiving the residency requirement for the town board-appointed officers in the town of LaGrange, Dutchess county

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

Section 1. The town of LaGrange, in the county of Dutchess, has employed individuals that reside outside the political subdivision or municipal corporation as town building inspector, town comptroller and town administrator of public works in violation of section 3 of the public officers law and section 23 of the town law. Notwithstanding this defect, the employment of such an individual as town of LaGrange building inspector, town comptroller and town administrator of public works is hereby validated, legalized, ratified and confirmed, notwithstanding the absence of prior legislative approval.

S 2. Section 23 of the town law is amended by adding a new subdivision 30 to read as follows:

30. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF LAGRANGE, IN THE COUNTY OF DUTCHESS, THE PERSON PERFORMING THE FUNCTIONS OF THE BUILDING INSPECTOR, COMPTROLLER AND ADMINISTRATOR OF PUBLIC WORKS NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTIONS OF THE BUILDING INSPECTOR, COMPTROLLER AND ADMINISTRATOR OF PUBLIC WORKS IN ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE.

S 3. Section 3 of the public officers law is amended by adding a new subdivision 65 to read as follows:

65. IN THE TOWN OF LAGRANGE, IN THE COUNTY OF DUTCHESS, THE PROVISIONS OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE

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

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SHALL BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO BE EXERCISED SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF BUILDING INSPECTOR, COMPTROLLER AND ADMINISTRATOR OF PUBLIC WORKS PROVIDED THAT SUCH PERSONS RESIDE IN THE COUNTY OF DUTCHESS. PROVIDED, HOWEVER, THE PERSONS PERFORMING THE FUNCTIONS OF THE BUILDING INSPECTOR, COMPTROLLER AND ADMINISTRATOR OF PUBLIC WORKS IN ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY LAW.

S 4. This act shall take effect immediately.