STATE OF NEW YORK

7980

IN SENATE

March 15, 2018

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

AN ACT to amend the town law and the public officers law, in relation to
   the residency requirement for the court clerk for the town of Sodus,
   in the county of Wayne

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1   Section 1. The town of Sodus, in the county of Wayne, has employed an
2 individual residing outside the political subdivision or municipal
3 corporation as a court clerk in violation of section 3 of the public
4 officers law and section 23 of the town law. Notwithstanding this
5 defect, the employment of such an individual as a town of Sodus court
6 clerk is hereby validated, legalized, ratified and confirmed, notwith-
7 standing the absence of prior legislative approval.
8   § 2. Section 23 of the town law is amended by adding a new subdivision
9 32 to read as follows:
10   *32. Notwithstanding subdivision one of this section, in the town of*
11 *Sodus, Wayne County, the person performing the functions of court clerk*
12 *need not be an elector of such town. Provided, however, the person*
13 *performing the functions of court clerk in any other town shall be an*
14 *elector of such town, unless otherwise provided by an act of the state*
15 *legislature.*
16   § 3. Section 3 of the public officers law is amended by adding a new
17 subdivision 67 to read as follows:
18   *67. In the town of Sodus, Wayne County, the provisions of this section*
19 *requiring a person to be a resident of the political subdivision or*
20 *municipal corporation of the state for which he or she shall be chosen,*
21 *or within which his or her official function is required to be exer-*
22 *cised, shall not prevent a person from holding the office of court clerk*
23 *of the town of Sodus; provided that said person resides in the county in*
24 *which such town is located.*
25   § 4. 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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