STATE OF NEW YORK

5539--B

Cal. No. 834

2017-2018 Regular Sessions

IN ASSEMBLY

February 10, 2017

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the municipal home rule law, in relation to punishment for the violation of a local law

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

Section 1. Paragraph (b) of subdivision 4 of section 10 of the municipal home rule law is amended to read as follows:

(b) To provide for the enforcement of local laws by legal or equitable proceedings which are or may be provided or authorized by law, to prescribe that violations thereof shall constitute misdemeanors, offenses or infractions and to provide for the punishment of violations thereof by civil penalty, fine, forfeiture**, community service, where the defendant has consented to the amount and conditions of such service, provided however, that the performance of any such services shall not result in the displacement of employed workers or in the impairment of existing services, nor shall the performance of any such services be required or permitted in any establishment involved in any labor strike or lockout,** or imprisonment, or by two or more of such punishments, provided, however, that a local law adopted pursuant to subdivision two of this section shall provide only for such enforcement or punishment as could be prescribed if the action of the legislative body were taken by ordinance, resolution, rule or regulation, as the case may be.

§ 2. 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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