

STATE OF NEW YORK

9062--A

IN ASSEMBLY

January 18, 2018

Introduced by M. of A. ERRIGO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the village law and the public officers law, in relation to residency requirements for the office of court clerk or deputy clerk/treasurer in the village of Mount Morris, in the county of Livingston

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

1 Section 1. The village of Mount Morris, Livingston County, has
2 employed individuals that reside outside of the political subdivision or
3 municipal corporation as court clerk and deputy clerk/treasurer of the
4 village in violation of section 3 of the public officers law and section
5 3-300 of the village law. Notwithstanding this defect, the employment
6 of such individuals as court clerk and deputy clerk/treasurer of the
7 village is hereby validated, legalized, ratified and confirmed, notwith-
8 standing the absence of prior legislative approval.

9 § 2. Section 3-300 of the village law is amended by adding a new
10 subdivision 28 to read as follows:

11 28. Notwithstanding any provisions of this chapter or any other gener-
12 al law, local law, ordinance or special act, the village board of trus-
13 tees of the incorporated village of Mount Morris, Livingston county,
14 may, by resolution, provide that the office of court clerk and deputy
15 clerk/treasurer of such village need not be a resident of such village,
16 provided that such person resides in the county of Livingston or in an
17 adjoining county within the state of New York.

18 § 3. Section 3 of the public officers law is amended by adding a new
19 subdivision 67 to read as follows:

20 67. In the village of Mount Morris, Livingston county, the provisions
21 of this section requiring a person to be a resident of the political
22 subdivision or municipal corporation of the state for which he or she
23 shall be chosen or within which his or her official functions are
24 required to be exercised, shall not prevent a person from holding the
25 office of village court clerk or deputy clerk/treasurer of the village

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

LBD13567-08-8

1 of Mount Morris, provided that such person resides in the county in
2 which such village is located or an adjoining county within the state of
3 New York. Provided, however, the person performing the functions of
4 village court clerk or deputy clerk/treasurer in any other village shall
5 be a resident of such village, unless otherwise provided by an act of
6 the state legislature.

7 § 4. This act shall take effect immediately.