

STATE OF NEW YORK

7390

IN SENATE

January 11, 2018

Introduced by Sen. AKSHAR -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to the qualifications for holding the offices of assistant district attorney and assistant public defender in the county of Chenango

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

1 Section 1. Section 3 of the public officers law is amended by adding
2 two new subdivisions 67 and 68 to read as follows:

3 67. In the county of Chenango, the provisions of this section requir-
4 ing a person to be a resident of the political subdivision or municipal
5 corporation of the state for which he or she shall be chosen or within
6 which his or her official functions are required to be exercised, shall
7 not prevent a person from holding the office of assistant district
8 attorney of the county of Chenango, provided that such person resides in
9 Chenango county or an adjoining county within the state of New York;
10 provided, however that any person performing such functions or holding
11 the office of assistant district attorney in any other county shall be a
12 resident of such county unless otherwise provided by law. The provisions
13 of this subdivision shall not apply to any person holding the office of
14 first assistant district attorney, the holder of which would assume the
15 duties of the district attorney upon the district attorney's absence
16 from the county or upon the district attorney's inability to perform his
17 or her duties.

18 68. In the county of Chenango, the provisions of this section requir-
19 ing a person to be a resident of the political subdivision or municipal
20 corporation of the state for which he or she shall be chosen or within
21 which his or her official functions are required to be exercised, shall
22 not prevent a person from holding the office of assistant public defen-
23 der of the county of Chenango, provided that such person resides in
24 Chenango county or an adjoining county within the state of New York;
25 provided, however that any person performing such functions or holding
26 the office of assistant public defender in any other county shall be a

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

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1 resident of such county unless otherwise provided by law. The provisions
2 of this subdivision shall not apply to any person holding the office of
3 first assistant public defender, the holder of which would assume the
4 duties of the public defender upon the public defender's absence from
5 the county or upon the public defender's inability to perform his or her
6 duties.

7 § 2. This act shall take effect immediately.