# STATE OF NEW YORK

5527

2019-2020 Regular Sessions

# IN SENATE

May 6, 2019

Introduced by Sen. SEPULVEDA -- 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 and the county law, in relation to authorizing the governor to remove a county clerk from office for failing to process drivers' licenses submitted by undocumented immigrants; and directs the department of motor vehicles to establish a mobile unit to process such applications

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

Section 1. Section 33 of the public officers law is amended by adding a new subdivision 3 to read as follows:

**3. A county clerk may be removed by the governor for failing to process drivers' license applications submitted by undocumented immigrants, which failure shall be deemed neglect of duties by the county clerk, after giving such county clerk a copy of the charges against him or her and an opportunity to be heard in his or her defense. The power of removal provided for in this subdivision shall be deemed to be in addition to the power of removal provided for in any other law. The provisions of this subdivision shall apply notwithstanding any inconsistent provision of any general, special or local law, ordinance or city charter.**

§ 2. Section 525 of the county law is amended by adding a new subdivision 3 to read as follows:

**3. He or she shall accept applications for drivers' licenses submitted by undocumented immigrants and shall process such applications in the same manner as other applications for driver's licenses are processed. The failure to process applications for driver's licenses submitted by undocumented immigrants shall be deemed neglect of duties by such county clerk and shall subject the county clerk to removal proceedings subject to subdivision three of section thirty-three of the public officers law.**

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

LBD10886-01-9

§ 3. The department of motor vehicles shall establish a mobile unit to house employees of the department who shall process applications for drivers' licenses submitted by undocumented immigrants. Such mobile unit shall be established and prepared to carry out such duties within sixty days from the date this act shall have become a law.

§ 4. This act shall take effect immediately.