STATE OF NEW YORK

971

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. GAUGHRAN, MAY, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the municipal home rule law, in relation to the division of a county into districts for the apportionment of members of its local legislative body

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

Section 1. Subdivision 4 of section 34 of the municipal home rule law is renumbered subdivision 5 and a new subdivision 4 is added to read as follows:

4. Any plan of apportionment adopted pursuant to a county charter or charter law relating to the division of any county, except a county wholly contained within a city, into districts for the purpose of the apportionment or reapportionment of members of its local legislative body shall be subject to federal and state constitutional requirements and shall comply with the following standards, which shall have priority in the order set forth in this subdivision, to the extent applicable:

a. The plan shall provide substantially equal weight for all of the residents of that county in the allocation of representation in the local legislative body.

b. In such plan, no town except a town having more than one hundred ten percent of a full ratio for each representative, shall be divided in the formation or representation areas. Adjacent representation areas in the same town or city shall not contain a greater excess in population than five percent of a full ratio for each representative.

c. The plan shall provide substantially fair and effective representation for the people of the county as organized in political parties.

d. Representation areas shall be of convenient and contiguous territory in as compact form as practicable.

§ 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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