STATE OF NEW YORK

9046

IN SENATE

May 5, 2022

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law and the public officers law, in relation to authorizing the town justice of the town of Rushford, county of Allegany, to be a nonresident of such town

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

Section 1. Section 23 of the town law is amended by adding a new subdivision 35 to read as follows:

35. Notwithstanding the provisions of subdivision one of this section, in the town of Rushford, in the county of Allegany, the person performing the function of town justice, need not be an elector of such town. Provided, however, the person performing the function of town justice in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

§ 2. Section 3 of the public officers law is amended by adding a new subdivision 72 to read as follows:

72. In the town of Rushford, in the county of Allegany, the provisions of this section requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, shall not prevent a person from holding the office of town justice of the town of Rushford; provided that such person resides in a town which is in the county of Allegany. Provided, however, the person performing the function of town justice in any other town shall be a resident of such town, unless otherwise provided by law.

§ 3. 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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