

# STATE OF NEW YORK

4039

2023-2024 Regular Sessions

## IN ASSEMBLY

February 9, 2023

Introduced by M. of A. ANGELINO -- read once and referred to the Committee on Local Governments

AN ACT to amend the village law, in relation to exempting fire department officers of the Village of Hancock fire department from a New York state residency requirement

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

1 Section 1. Subdivision 1 of section 10-1012 of the village law, as  
2 amended by chapter 481 of the laws of 2015, is amended to read as  
3 follows:  
4 1. The chief and the first and second assistant chiefs and such addi-  
5 tional assistant chiefs, if any, as may be provided for in the by-laws  
6 of the fire department shall each be a member thereof and a resident of  
7 the state of New York; provided, however, that fire department officers  
8 of the fire department of the village of Hancock, Delaware county, need  
9 not be residents of the state of New York. In addition, the board of  
10 trustees, or the board of fire commissioners subject to the approval of  
11 the board of trustees, may, by resolution, require that any or all of  
12 such fire department officers shall be residents of the village. The  
13 delegates elected to the general convention of the fire department shall  
14 meet at the council room thereof on the Thursday following the first  
15 Tuesday in April, except the elected delegates of the fire department of  
16 the village of Fishkill, Dutchess county, which shall meet on the first  
17 Tuesday in December, and nominate a person for each of such offices; but  
18 the fire commissioners of any village may adopt a rule requiring all  
19 such nominations to be made on the day of the meeting by a vote of the  
20 duly qualified members of the department, in which case the meeting of  
21 the delegates in general convention, as provided for in this section,  
22 shall be dispensed with. The person acting as secretary of such conven-  
23 tion shall forthwith file in the office of the village clerk a certifi-  
24 cate of such nominations. The board of fire commissioners at its next

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

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1 meeting shall consider the nominations and appoint such persons to the  
2 offices to which they are respectively nominated or, if a nomination is  
3 not approved the board shall reconvene the general convention, which  
4 shall submit a new nomination to take the place of any nomination not  
5 approved, which procedure shall continue until a full set of officers is  
6 approved. A person who has been convicted of arson in any degree shall  
7 not be eligible for nomination, election or appointment to the office of  
8 chief or assistant chief. Any fire chief or assistant chief who is  
9 convicted of arson in any degree during his term of office shall be  
10 disqualified from completing such term of office.

11 § 2. This act shall take effect immediately.