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:

Section 1. Subdivision 1 of section 10-1012 of the village law, as amended by chapter 481 of the laws of 2015, is amended to read as follows:

1. The chief and the first and second assistant chiefs and such additional assistant chiefs, if any, as may be provided for in the by-laws of the fire department shall each be a member thereof and a resident of the state of New York**; provided, however, that fire department officers of the fire department of the village of Hancock, Delaware county, need not be residents of the state of New York**. In addition, the board of trustees, or the board of fire commissioners subject to the approval of the board of trustees, may, by resolution, require that any or all of such fire department officers shall be residents of the village. The delegates elected to the general convention of the fire department shall meet at the council room thereof on the Thursday following the first Tuesday in April, except the elected delegates of the fire department of the village of Fishkill, Dutchess county, which shall meet on the first Tuesday in December, and nominate a person for each of such offices; but the fire commissioners of any village may adopt a rule requiring all such nominations to be made on the day of the meeting by a vote of the duly qualified members of the department, in which case the meeting of the delegates in general convention, as provided for in this section, shall be dispensed with. The person acting as secretary of such convention shall forthwith file in the office of the village clerk a certificate 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.

LBD02051-01-3

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

§ 2. This act shall take effect immediately.