STATE OF NEW YORK

435

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend chapter 773 of the laws of 1911 relating to providing for a procedure for the prompt review of an apportionment by the legislature or other body, in relation to bringing any such review to the supreme court of Albany county

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

Section 1. Sections 1 and 5 of chapter 773 of the laws of 1911 relating to providing for a procedure for the prompt review of an apportionment by the legislature or other body, are amended to read as follows:

Section 1. An apportionment by the legislature shall be subject to review by the supreme court **of Albany county** at the suit of any citizen, upon the petition of any citizen to the supreme court [~~where any such petitioner resides~~] **of Albany county** and upon such service thereof upon the attorney-general, the president of the senate, the speaker of the assembly and the governor, as a justice of the supreme court **of Albany county** may direct.

§ 5. [~~No limitation of the time for commencing an action shall affect any proceeding hereinbefore mentioned, or any~~] **An action under this act must be commenced within fourteen days after the apportionment at issue shall become law. Any** appeal in any existing action or proceeding in which the validity of an apportionment is or may be in issue, if commenced within the period during which such apportionment is in force **may continue**; and nothing in this act shall impair any existing remedy by which the validity of an apportionment may be determined.

§ 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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