STATE OF NEW YORK

5869--A

R.R. 369

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Governmental Operations -- reported and referred to the Committee on Rules -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading

AN ACT to amend the public officers law and the village law, in relation to residency requirements for the village clerk/treasurer and deputy village clerk/treasurer for the village of Otisville

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

Section 1. Section 3 of the public officers law is amended by adding a new subdivision 73 to read as follows:

73. In the village of Otisville, Orange county, 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 village clerk/treasurer and deputy village clerk/treasurer of the village of Otisville, provided that such person resides in the county in which such village is located or an adjoining county within the state of New York. Provided, however, the person performing the functions of village clerk/treasurer and deputy village clerk/treasurer in any other village shall be a resident of such village, unless otherwise provided by an act of the state legislature.

§ 2. Section 3-300 of the village law is amended by adding a new subdivision 33 to read as follows:

33. Notwithstanding any provisions of this chapter or any other general law, local law, ordinance, or special act, the village board of trustees of the incorporated village of Otisville, Orange county, may, by resolution, provide that the village clerk/treasurer and deputy village clerk/treasurer of the village of Otisville, Orange county, need not be

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

residents of such village, but must be residents in the county in which such village is located or an adjoining county within the state of New York. Provided, however, the person performing the functions of village clerk/treasurer and deputy village clerk/treasurer in any other village shall be a resident of such village, unless otherwise provided by an act of the state legislature.

§ 3. This act shall take effect immediately.