STATE OF NEW YORK

6812--B

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. SIMPSON -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to waiving the residency requirement for certain county attorney positions within Essex county

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 county of Essex, 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 assistant public defender of the county of Essex, provided that such person resides in a county adjoining Essex county within the state of New York; provided, however that any person performing such functions or holding such offices in any other county shall be a resident of such county unless otherwise provided by law. The provisions of this subdivision shall not apply to any person holding the office of first assistant public defender, the holder of which would assume the duties of the public defender upon the public defender's absence from the county or upon the public defender's inability to perform his or her duties.

§ 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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