

STATE OF NEW YORK

9524

IN ASSEMBLY

March 20, 2024

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

AN ACT to amend the town law, in relation to requiring the appointment of assessors

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

1 Section 1. Paragraphs (b) and (f) of subdivision 1 of section 20 of
2 the town law, paragraph (b) as amended by chapter 513 of the laws of
3 2022 and paragraph (f) as amended by chapter 472 of the laws of 1984,
4 are amended to read as follows:

5 (b) Except as otherwise provided by law, every town of the second
6 class shall have a supervisor, two justices of the peace, two town council
7 members, a town clerk, a town superintendent of highways, three
8 assessors, a collector, and, if there be no town police department, as
9 many constables as the town board may determine necessary. In any such
10 town in which a town police department has been established pursuant to
11 law, the town board may appoint not more than four civil officers who
12 shall possess all the powers and duties of constables in civil actions
13 and proceedings only, except that the town board of the town of South
14 hold, county of Suffolk, may appoint four additional constables, who
15 shall possess all the powers and duties of constables in civil and criminal
16 actions and proceedings, solely for the benefit of Fishers Island
17 located in such town; provided, however, that nothing in this paragraph
18 shall be deemed to authorize such constables to carry, repair or dispose
19 of a firearm unless the appropriate license therefore has been issued
20 pursuant to section 400.00 of the penal law; and shall be paid no salary
21 by the town board but shall be entitled to collect the statutory fees
22 allowed by law in such civil actions and proceedings. Every town of the
23 second class may have in addition such other employees as the town board
24 may determine necessary for the proper conduct of the affairs of the
25 town. The supervisor, justices of the peace, town council members, town
26 clerk, town superintendent of highways[~~,-assessors~~] and collector in
27 every such town shall be elected. All other town officers and employees
28 in such a town shall be appointed by the town board, except as otherwise

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

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1 provided by law. Provided, however, that in a town having less than
2 three hundred inhabitants according to the latest federal census and
3 having a taxable property valuation of less than one hundred thousand
4 dollars according to the latest assessment roll, there shall be elected
5 one justice of the peace for a term of four years [~~and one assessor for~~
6 ~~a term of two years,~~] but no town council member. Successors to such
7 officers shall be elected for like terms at the biennial town election
8 prior to the expiration of their terms of office. The clerk of the
9 court of a town shall be employed and discharged from employment only
10 upon the advice and consent of the town justice or justices.

11 (f) Notwithstanding the provisions of paragraph (b) of this subdivi-
12 sion, every town of the second class [~~which has not exercised the option~~
13 ~~to retain elective assessors in the manner provided by former section~~
14 ~~fifteen hundred fifty-six of the real property tax law]~~ shall have one
15 assessor to be appointed in the manner and for the term prescribed by
16 section three hundred ten of the real property tax law.

17 § 2. An elected assessor who cannot be reelected due to section one of
18 this act may complete his or her term as an elected assessor.

19 § 3. This act shall take effect immediately.