STATE OF NEW YORK

5608--C

Cal. No. 706

2023-2024 Regular Sessions

IN SENATE

March 8, 2023

Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 75 to read as follows:

75. 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 such person shall be chosen or within which such person's 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 such office's 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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