

# STATE OF NEW YORK

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5962

2023-2024 Regular Sessions

## IN SENATE

March 23, 2023

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Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to the qualification to hold the position of assistant district attorney in the county of Rensselaer

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

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

3 73. In the county of Rensselaer, the provisions of this section  
4 requiring a person to be a resident of the political subdivision or  
5 municipal corporation of the state for which he or she shall be chosen  
6 or within which his or her official functions are required to be exer-  
7 cised, shall not prevent a person from holding the office of assistant  
8 district attorney of the county of Rensselaer, provided that such person  
9 resides in Rensselaer county or an adjoining county within the state of  
10 New York; provided, however, that any person performing such functions  
11 or holding the office of assistant district attorney in any other county  
12 shall be a resident of such county unless otherwise provided by law. The  
13 provisions of this subdivision shall not apply to any person holding the  
14 office of chief assistant district attorney, the holder of which would  
15 assume the duties of the district attorney upon the district attorney's  
16 absence from the county or upon the district attorney's inability to  
17 perform his or her duties.

18 § 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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