STATE OF NEW YORK

6110--C

Cal. No. 708

2023-2024 Regular Sessions

IN SENATE

March 29, 2023

Introduced by Sen. BORRELLO -- 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 -- committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 and the village law, in relation to waiving the local residency requirement for the village clerk and village treasurer in the village of Portville

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 village of Portville, in the county of Cattaraugus, 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 village clerk and village treasurer of the village of Portville, provided that such person resides within Cattaraugus county or an adjoining county within the state of New York. Provided, however, that the person performing the functions of village clerk and village treasurer in any other village shall be a resident of such village unless otherwise provided by law.

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

LBD10464-07-4

§ 2. Section 3-300 of the village law is amended by adding a new subdivision 35 to read as follows:

35. 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 Portville, Cattaraugus county, may, by resolution, provide that the village clerk/treasurer of the village of Portville, Cattaraugus county, need not be 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 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.