

STATE OF NEW YORK

435

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend chapter 773 of the laws of 1911 relating to providing
for a procedure for the prompt review of an apportionment by the
legislature or other body, in relation to bringing any such review to
the supreme court of Albany county

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

1 Section 1. Sections 1 and 5 of chapter 773 of the laws of 1911 relat-
2 ing to providing for a procedure for the prompt review of an appor tion-
3 ment by the legislature or other body, are amended to read as follows:

4 Section 1. An apportionment by the legislature shall be subject to
5 review by the supreme court of Albany county at the suit of any citizen,
6 upon the petition of any citizen to the supreme court [~~where any such~~
7 ~~petitioner resides~~] of Albany county and upon such service thereof upon
8 the attorney-general, the president of the senate, the speaker of the
9 assembly and the governor, as a justice of the supreme court of Albany
10 county may direct.

11 § 5. [~~No limitation of the time for commencing an action shall affect~~
12 ~~any proceeding hereinbefore mentioned, or any~~] An action under this act
13 must be commenced within fourteen days after the apportionment at issue
14 shall become law. Any appeal in any existing action or proceeding in
15 which the validity of an apportionment is or may be in issue, if
16 commenced within the period during which such apportionment is in force
17 may continue; and nothing in this act shall impair any existing remedy
18 by which the validity of an apportionment may be determined.

19 § 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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