

STATE OF NEW YORK

6404--C

2023-2024 Regular Sessions

IN ASSEMBLY

April 6, 2023

Introduced by M. of A. J. M. GIGLIO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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.

§ 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,

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

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1 by resolution, provide that the village clerk/treasurer of the village
2 of Portville, Cattaraugus county, need not be residents of such village,
3 but must be residents in the county in which such village is located or
4 an adjoining county within the state of New York. Provided, however, the
5 person performing the functions of village clerk/treasurer in any other
6 village shall be a resident of such village, unless otherwise provided
7 by an act of the state legislature.

8 § 3. This act shall take effect immediately.