STATE OF NEW YORK

8285

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Judiciary

AN ACT to amend the uniform justice court act, the town law and the village law, in relation to requiring town and village justices be admitted to practice law in the state

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

Section 1. Section 105 of the uniform justice court act is amended by adding a new subdivision (a-1) to read as follows:

(a-1) Education. Notwithstanding any other provision of law to the contrary, no person may serve as a town or village justice in a town or village unless they are an attorney admitted to practice law in this state for at least five years as of the date they commence the duties of office. Notwithstanding the foregoing, non-attorney justices in office as of the effective date of this subdivision shall remain eligible to serve as a justice for the court on which they currently sit for the remainder of their term.

§ 2. Section 31 of the town law is amended by adding a new subdivision 2-a to read as follows:

2-a. Notwithstanding any other provision of law to the contrary, no person may serve as a town justice unless they are an attorney admitted to practice law in this state for at least five years as of the date they commence the duties of office. Notwithstanding the foregoing, non-attorney justices in office as of the effective date of this subdivision shall remain eligible to serve as a justice for the court on which they currently sit for the remainder of their term.

§ 3. Section 3-301 of the village law is amended by adding a new subdivision 6 to read as follows:

6. Notwithstanding any other provision of law to the contrary, no person may serve as a village justice unless they are an attorney admitted to practice law in this state for at least five years as of the date

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

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they commence the duties of office. Notwithstanding the foregoing, non-attorney justices in office as of the effective date of this subdivision shall remain eligible to serve as a justice for the court on which they currently sit for the remainder of their term.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.