STATE OF NEW YORK

2757

2023-2024 Regular Sessions

IN SENATE

January 24, 2023

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, in relation to requiring the appointment of assessors

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

Section 1. Paragraphs (b) and (f) of subdivision 1 of section 20 of the town law, paragraph (b) as amended by chapter 513 of the laws of 2022 and paragraph (f) as amended by chapter 472 of the laws of 1984, are amended to read as follows:

(b) Except as otherwise provided by law, every town of the second class shall have a supervisor, two justices of the peace, two town council members, a town clerk, a town superintendent of highways, three assessors, a collector, and, if there be no town police department, as many constables as the town board may determine necessary. In any such town in which a town police department has been established pursuant to law, the town board may appoint not more than four civil officers who shall possess all the powers and duties of constables in civil actions and proceedings only, except that the town board of the town of Southold, county of Suffolk, may appoint four additional constables, who shall possess all the powers and duties of constables in civil and criminal actions and proceedings, solely for the benefit of Fishers Island located in such town; provided, however, that nothing in this paragraph shall be deemed to authorize such constables to carry, repair or dispose of a firearm unless the appropriate license therefore has been issued pursuant to section 400.00 of the penal law; and shall be paid no salary by the town board but shall be entitled to collect the statutory fees allowed by law in such civil actions and proceedings. Every town of the second class may have in addition such other employees as the town board may determine necessary for the proper conduct of the affairs of the town. The supervisor, justices of the peace, town council members, town

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

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clerk, town superintendent of highways[~~, assessors~~] and collector in every such town shall be elected. All other town officers and employees in such a town shall be appointed by the town board, except as otherwise provided by law. Provided, however, that in a town having less than three hundred inhabitants according to the latest federal census and having a taxable property valuation of less than one hundred thousand dollars according to the latest assessment roll, there shall be elected one justice of the peace for a term of four years [~~and one assessor for a term of two years,~~] but no town council member. Successors to such officers shall be elected for like terms at the biennial town election prior to the expiration of their terms of office. The clerk of the court of a town shall be employed and discharged from employment only upon the advice and consent of the town justice or justices.

(f) Notwithstanding the provisions of paragraph (b) of this subdivision, every town of the second class [~~which has not exercised the option to retain elective assessors in the manner provided by former section fifteen hundred fifty-six of the real property tax law~~] shall have one assessor to be appointed in the manner and for the term prescribed by section three hundred ten of the real property tax law.

§ 2. An elected assessor who cannot be reelected due to section one of this act may complete his or her term as an elected assessor.

§ 3. This act shall take effect immediately.