STATE OF NEW YORK

11113

IN ASSEMBLY

April 24, 2026

Introduced by M. of A. SMITH -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law and the public officers law, in relation to authorizing the town attorney of the town of Islip, county of Suffolk, to be a nonresident of such town

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

Section 1. Section 23 of the town law is amended by adding a new subdivision 38 to read as follows:

38. Notwithstanding the provisions of subdivision one of this section, in the town of Islip, in the county of Suffolk, the person performing the function of town attorney need not be an elector of such town. Provided, however, the person performing the function of town attorney in any other town shall be an elector of such town, unless otherwise provided by an act of the state legislature.

§ 2. Section 3 of the public officers law is amended by adding a new subdivision 77 to read as follows:

77. In the town of Islip, in the county of Suffolk, 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 town attorney of the town of Islip; provided that such person resides in the county in which such town is located. Provided, however, the person performing the function of town attorney in any other town shall be a resident of such town, unless otherwise provided by law.

§ 3. This act shall take effect immediately.

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

LBD15326-01-6