

# STATE OF NEW YORK

11395

## IN ASSEMBLY

May 15, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Palmesano)  
-- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to permitting Yates county assistant district attorneys and assistant public defenders to reside in Monroe county

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

1 Section 1. Subdivisions 38 and 38-a of section 3 of the public officers law, as amended by chapter 405 of the laws of 2025, are amended to  
2 read as follows:

3  
4 38. In the county of Yates, the provisions of this section requiring a  
5 person to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within  
6 which such person's official functions are required to be exercised,  
7 shall not prevent a person from holding the office of assistant district  
8 attorney of the county of Yates, other than the first assistant district  
9 attorney, provided that such person resides in Yates county, an adjoining  
10 county within the state of New York, [~~ex~~] within Chemung county, or  
11 within Monroe county.

12  
13 38-a. In the county of Yates, the provisions of this section requiring  
14 a person to be a resident of the political subdivision or municipal  
15 corporation of the state for which such person shall be chosen or within  
16 which such person's official functions are required to be exercised,  
17 shall not prevent a person regularly admitted to practice as an attorney  
18 or counselor in the courts of record of this state from holding the  
19 office of assistant public defender of the county of Yates, provided  
20 that such person resides in the county of Yates, an adjoining county  
21 within the state of New York, [~~ex~~] within Chemung county, or within  
22 Monroe county.

23 § 2. This act shall take effect immediately.

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

LBD15864-01-6