

STATE OF NEW YORK

10526

IN SENATE

May 18, 2026

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government 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:

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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 corpo-
6 ration of the state for which such person shall be chosen or within
7 which such person's official functions are required to be exercised,
8 shall not prevent a person from holding the office of assistant district
9 attorney of the county of Yates, other than the first assistant district
10 attorney, provided that such person resides in Yates county, an adjoining
11 county within the state of New York, [~~or~~] within Chemung county, or
12 within Monroe county.

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, [~~or~~] 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.

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