

STATE OF NEW YORK

10726

IN SENATE

October 26, 2026

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the village law and the public officers law, in relation to residency requirements for clerk in the village of Alden, county of Erie

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

1 Section 1. Section 3-300 of the village law is amended by adding a new
2 subdivision 38 to read as follows:

3 38. Notwithstanding any provisions of this chapter or any other gener-
4 al law, local law, ordinance or special act, the village board of trus-
5 tees of the incorporated village of Alden, Erie county, may, by resol-
6 ution, provide that the office of village clerk of such village may be
7 held by a person who is not a resident of such village, provided that
8 such person resides in the county of Erie or in an adjoining county
9 within the state of New York.

10 § 2. Section 3 of the public officers law is amended by adding a new
11 subdivision 78 to read as follows:

12 78. In the village of Alden, in the county of Erie, the provisions of
13 this section requiring a person to be a resident of the political subdi-
14 vision or municipal corporation of the state for which such person shall
15 be chosen or within which such person's official functions are required
16 to be exercised, shall not prevent such person from holding the office
17 of village clerk of the village of Alden, provided that such person
18 resides in Erie county or an adjoining county within the state of New
19 York; provided, however, any person performing such functions of village
20 clerk in any other village shall be a resident of such village, unless
21 otherwise provided by law.

22 § 3. This act shall take effect immediately.

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

LBD16423-02-6