STATE OF NEW YORK

9919

IN SENATE

April 16, 2026

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

AN ACT to amend the town law and the public officers law, in relation to authorizing the town clerk of the town of Bethany, county of Genesee, to be nonresidents 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 Bethany, in the county of Genesee, the person performing the function of town clerk, need not be an elector of such town. Provided, however, the person performing the function of town clerk 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 Bethany, in the county of Genesee, 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 clerk of the town of Bethany, provided that such person resides in an adjoining town or village in the county in which such town is located. Provided, however, the person performing the functions of town clerk 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.

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