

# 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:

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

3 38. Notwithstanding the provisions of subdivision one of this section,  
4 in the town of Bethany, in the county of Genesee, the person performing  
5 the function of town clerk, need not be an elector of such town.  
6 Provided, however, the person performing the function of town clerk in  
7 any other town shall be an elector of such town, unless otherwise  
8 provided by an act of the state legislature.

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

11 77. In the town of Bethany, in the county of Genesee, the provisions  
12 of this section requiring a person to be a resident of the political  
13 subdivision or municipal corporation of the state for which such person  
14 shall be chosen or within which such person's official functions are  
15 required to be exercised, shall not prevent a person from holding the  
16 office of town clerk of the town of Bethany, provided that such person  
17 resides in an adjoining town or village in the county in which such town  
18 is located. Provided, however, the person performing the functions of  
19 town clerk in any other town shall be a resident of such town, unless  
20 otherwise provided by law.

21 § 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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