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:

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 read as follows:

38. In the county of Yates, 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 assistant district attorney of the county of Yates, other than the first assistant district attorney, provided that such person resides in Yates county, an adjoining county within the state of New York, [~~or~~] within Chemung county**, or within Monroe county**.

38-a. In the county of Yates, 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 regularly admitted to practice as an attorney or counselor in the courts of record of this state from holding the office of assistant public defender of the county of Yates, provided that such person resides in the county of Yates, an adjoining county within the state of New York, [~~or~~] within Chemung county**, or within Monroe county**.

§ 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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