

STATE OF NEW YORK

8180--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. PALMESANO -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, permitting Yates county assistant district attorneys and assistant public defenders to reside in Chemung 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, subdivision 38 as added by chapter 456 of the laws of 1994 and
2 subdivision 38-a as added by chapter 436 of the laws of 1998, are
3 amended to read as follows:

4
5 38. In the county of Yates, the provisions of this section requiring a
6 person to be a resident of the political subdivision or municipal corporation of the state for which [~~he~~] such person shall be chosen or within
7 which [~~his~~] such person's official functions are required to be exercised, shall not prevent a person from holding the office of assistant
8 district attorney of the county of Yates, other than the first assistant
9 district attorney, provided that such person resides in Yates county
10 [~~or~~], an adjoining county within the state of New York, or within
11 Chemung county.

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13
14 38-a. In the county of Yates, the provisions of this section requiring
15 a person to be a resident of the political subdivision or municipal corporation of the state for which [~~he or she~~] such person shall be
16 chosen or within which [~~his or her~~] such person's official functions are
17 required to be exercised, shall not prevent a person regularly admitted
18 to practice as an attorney or counselor in the courts of record of this
19 state from holding the office of assistant public defender of the county
20 of Yates, provided that such person resides in the county of Yates [~~or~~],
21 an adjoining county within the state of New York, or within Chemung
22 county.

23
24 § 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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