§ 106-b. Election of one or more town justices for two or more towns.

1. Two or more towns within the same county, acting by and through their town boards, are authorized to jointly undertake a study relating to the election of one or more town justices who shall preside in the town courts of each such town. Such study shall be commenced upon and conducted pursuant to a joint resolution adopted by the town board of each such town. Such joint resolution or a certified copy thereof shall upon adoption be filed in the office of the town clerk of each town which adopts the resolution. No study authorized by this subdivision shall be commenced until the joint resolution providing for the study shall have been filed with the town clerks of at least two towns which adopted such joint resolution.

2. Within thirty days after the conclusion of a study conducted pursuant to subdivision one of this section, each town which shall have adopted the joint resolution providing for the study shall publish, in its official newspaper or, if there be no official newspaper, in a newspaper published in the county and having a general circulation within such town, notice that the study has been concluded and the time, date and place of the town public hearing on such study. Each town shall conduct a public hearing on the study, conducted pursuant to subdivision one of this section, not less than twenty days nor more than thirty days after publication of the notice of such public hearing.

3. The town board of each town party to the study shall conduct a public hearing upon the findings of such study, and shall hear testimony and receive evidence and information thereon with regard to the election of one or more town justices to preside over the town courts of the towns which are parties to the joint resolution providing for the study.

4. Within sixty days of the last public hearing upon a study conducted pursuant to subdivision one of this section, town boards of each town which participated in such study shall determine whether the town will participate in a joint plan providing for the election of one or more town justices to preside in the town courts of two or more towns. Every such joint plan shall only be approved by a town by the adoption of a

resolution by the town board providing for the adoption of such joint plan. In the event two or more towns fail to adopt a joint plan, all proceedings authorized by this section shall terminate and the town courts of such towns shall continue to operate in accordance with the existing provisions of law.

5. Upon the adoption of a joint plan by two or more towns, the town boards of the towns adopting such plan shall each adopt a joint resolution providing for:

a. the election of one or more town justices at large to preside in the town courts of the participating towns;

b. the abolition of the existing office of town justice in the participating towns; and

c. the election of one or more town justices shall occur at the next general election of town officers and every fourth year thereafter.

6. Upon the adoption of a joint resolution, such resolution shall be forwarded to the state legislature, and shall constitute a municipal home rule message pursuant to article nine of the state constitution and the municipal home rule law. No such joint resolution shall take effect until state legislation enacting the joint resolution shall have become a law.

7. Every town justice elected to preside in multiple towns pursuant to this section shall have jurisdiction in each of the participating towns, shall preside in the town courts of such towns, shall maintain separate records and dockets for each town court, and shall maintain a separate bank account for each town court for the deposit of moneys received by each town court.

8. In the event any town court operated pursuant to a joint plan enacted into law pursuant to this section is without the services of the one or more town justices because of absence or disability, the provisions of section one hundred six of this article and the town law

shall apply.