



MOTION TO ADOPT

DOC ID: 7544 B

Motion To Adopt Local Law Number 1 Of 2024, A Local Law Superseding The Public Officers Law Section 3(1) As To The Residency Of Certain Public Officers (Assistant Public Defenders) In Greene County

April 17, 2024

MOTION TO ADOPT
LOCAL LAW NUMBER 1 OF 2024

Motion was made by Legislator Martinez

Seconded by Legislators Davis and Hobart

ROLL CALL VOTE:

(10,000)

Ayes 14 Noes 0 Absent 0

CARRIED.

April 17, 2024

LOCAL LAW NUMBER 1 OF 2024

A LOCAL LAW SUPERSEDING THE PUBLIC OFFICERS LAW SECTION 3(1) AS TO THE RESIDENCY OF CERTAIN PUBLIC OFFICERS (ASSISTANT PUBLIC DEFENDERS) IN GREENE COUNTY

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1: LEGISLATIVE INTENT

The Greene County Legislature hereby finds that in order to assure an adequate pool of qualified applicants for Assistant Public Defender and to retain such applicants if hired, it is necessary and advisable that all personnel holding said office of Assistant Public Defender within the County of Greene be permitted to reside either within the County of Greene or any county contiguous to the County of Greene. This local law shall not apply to any person holding the office of First Assistant Public Defender. Therefore, the Greene County Legislature hereby adopts the following exemption from any provision of the New York State Public Officers Law imposing a more restrictive residency qualification for holding office of Assistant Public Defender with the County of Greene.

SECTION 2. EXEMPTION

In the County of Greene, the provisions of Section 3(1) of the Public Officers Law 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 any person from holding office of Assistant Public Defender, provided, however, that such person performing the duties and functions of Assistant Public Defender resides in Greene, Albany, Columbia, Delaware, Schoharie, or Ulster Counties. Any contrary provision of the Public Officers Law is hereby superseded by this local law.

SECTION 3: SEPARABILITY

If any clause, sentence, paragraph, or section of this local law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State.

- cc: All Departments via County Wide Sharepoint
- 1 - NYS Sec. of State (Certified)
 - 1- Assemblyman Tague (Certified)
 - 1 - Senator Hinchey (Certified)
 - 1 - Public Defender
 - 1 - Co. Clerk (Certified)
 - 1 - NYSAC (Certified) (Via Email)
 - 4 - File - Local Law #1 Of 2024 (Electronic)
 - Public Hearing - LL#1 Of 2024 (Electronic)
 - Public Defender (Electronic)