

By Legislators Barnhart and Baynes

Intro. No. \_\_\_\_

MOTION NO. \_\_\_\_ OF 2025

**PROVIDING THAT LOCAL LAW (INTRO. NO. 184 OF 2025), ENTITLED "WAIVER OF RESIDENCY REQUIREMENT FOR ATTORNEYS EMPLOYED BY MONROE COUNTY," BE ADOPTED**

BE IT MOVED, that Local Law (Intro. No. 184 of 2025), entitled "WAIVER OF RESIDENCY REQUIREMENT FOR ATTORNEYS EMPLOYED BY MONROE COUNTY," be adopted.

File No. 25-0134.LL

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

**ENACTING LOCAL LAW ENTITLED "WAIVER OF RESIDENCY REQUIREMENT FOR ATTORNEYS EMPLOYED BY MONROE COUNTY"**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

**Section 1.** A new chapter shall be added as Chapter 392 of the Monroe County Code entitled "Waiver of Residency Requirement for Attorneys Employed by Monroe County" and shall read as follows:

**§1 Definitions.** Defined terms used in this local law shall have the same meaning as ascribed to them below:

**COUNTY** shall mean Monroe County.

**ATTORNEY** shall mean an individual employed by Monroe County as an Assistant District Attorney, a Deputy County Attorney, an Assistant Public Defender, or an Assistant Conflict Defender, provided however that for purposes of this Chapter it shall not mean anyone in a position in Pay Group 22 or above.

**§ 2 Residency Requirement.** Public Officers Law § 3, as amended or changed, is hereby amended and superseded in its application to the County as follows: provisions of Public Officers Law § 3, as amended or changed, requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or in which his or her official functions are required to be exercised, shall not prevent a person from being employed as an Attorney by the County, provided that such person resides in the County or any adjoining county within New York State.

**Section 2.** If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 3.** This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Agenda/Charter Committee; April 21, 2025 - CV: 9-0  
File No. 25-0134.LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_