

LOCAL LAW NO. "A" FOR 2026

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING THE ALBANY COUNTY CHARTER FOR THE PURPOSE OF CLARIFYING COUNTY LEGISLATOR QUALIFICATIONS

Introduced: 3/9/26

By Cunningham, Feeney and Kuhn:

PURSUANT TO MUNICIPAL HOME RULE LAW §§ 10 AND 33 AND SECTION 2702 OF THE ALBANY COUNTY CHARTER:

BE IT ENACTED by the Legislature of the County of Albany as follows:

SECTION I. Section 202, *County Legislators; qualifications; term*, of the Albany County Charter is hereby amended by adding language as underlined below:

All County Legislators shall be electors of the County and have been residents continuously in the County and the district represented for at least one (1) year prior to taking office. Each County Legislator shall reside in the district from which that County Legislator seeks election at the time of nomination for office, and continue to be a resident of the County and of the district within the County which she represents for the entire term of her office, subject, however, to the following exception: in the case of an election immediately following the reapportionment of County Legislative Districts, the incumbent County Legislator representing a district redrawn in such reapportionment shall be eligible for nomination for election in either the district of residence, or any newly drawn district which is contiguous to the district of residence, provided that the County Legislator shall become a resident of the district represented prior to taking office. Members of the County Legislature shall be nominated at the primary election in the same manner other County officers are nominated pursuant to the provisions of the Election Law.

Except as provided in this Section 202, or as otherwise provided by law, the term of office for each member of the County Legislature shall begin on January 1 following the member's election. The elections for County Legislators shall be conducted at the general election of 1995 and at general elections every fourth year thereafter.

202(a). _____ Persons elected or appointed to the position of County Legislator [are not qualified] may be found unqualified to hold the office if: (1) they are not or cease to be residents of the County and their district they represent as indicated above, (2) [if] they have been convicted of a felony offense under New York State or Federal law while in office, or (3) [if] they have been found by the Albany County Ethics Commission to have knowingly filed materially false financial statements with the County while in office.

The County Legislature shall determine the qualifications of its members, and for that purpose shall have the power to subpoena witnesses, take testimony, require production of records to evaluate such qualifications, and exercise all other powers granted to the Legislature by this Charter and its Rules of Order. Decisions made by the County Legislature in the exercise of powers granted by this subsection shall be subject to judicial review.

The County Legislature may punish its members for misconduct, including via reprimand, censure, and/or expulsion. Any final determination of the expulsion of a member from office shall require a two-thirds vote of the whole membership of the County Legislature.

SECTION II. Effective Date.

This Local Law is adopted subject to mandatory referendum pursuant to New York State Municipal Home Rule Law § 23.