



## Legislation Details (With Text)

<b>File #:</b>	Res 1737-2008	<b>Version:</b>	*	<b>Name:</b>	Adding a rule to the Rules of the Council in relation to the Qualifications of Council Members.
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
		<b>In control:</b>		<b>In control:</b>	Committee on Rules, Privileges and Elections
<b>On agenda:</b>	12/18/2008				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution adding a rule to the Rules of the Council in relation to the Qualifications of Council Members.				
<b>Sponsors:</b>	Diana Reyna, Simcha Felder				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Press Release, 2. Hearing Transcript, 3. Rules of the Council, 4. Committee Report, 5. Hearing Transcript - Stated Meeting 12/18/08				

Date	Ver.	Action By	Action	Result
12/18/2008	*	Committee on Rules, Privileges and Elections	Hearing on P-C Item by Comm	
12/18/2008	*	Committee on Rules, Privileges and Elections	P-C Item Approved by Comm	Pass
12/18/2008	*	City Council	Introduced by Council	
12/18/2008	*	City Council	Referred to Comm by Council	
12/18/2008	*	City Council	Approved, by Council	Pass

Preconsidered Res. No. 1737

Resolution adding a rule to the Rules of the Council in relation to the Qualifications of Council Members.

By Council Members Reyna and Felder

Section 1. The Rules of the Council are amended by adding a new rule, 2.80 to read as follows:

2.80 Qualification of Council Members. Council Members, as public officers, must meet the qualifications of Section 3 of the New York State Public Officers Law in order to hold public office. In addition, Section 30 of such law sets forth provisions governing the creation of vacancies in public office. The Committee on Rules, Privileges and Elections shall have jurisdiction over these matters. The Committee, or staff of the Committee acting under its direction, shall request such information as is reasonably necessary to review the qualifications of Council Members-elect. In addition, the Committee may determine whether particularized review of qualifications of a Council Member-elect or eligibility to serve of a Council Member is appropriate based upon information submitted or

otherwise available to the Committee, or based upon failure to submit information requested in accordance with the preceding sentence. In the event that such a particularized review is conducted, the Council Member-elect, or Council Member, shall be afforded the right to be heard. If the Committee believes that a Council Member-elect should not be seated, or that a Council Member is not eligible to serve in public office, due to failure to meet the qualifications of the Public Officers Law or due to the creation of a vacancy pursuant to such law, the Committee will recommend appropriate action to the full Council. The record of the proceedings before the Committee on the matter shall be made available to the members of the Council before any such action is taken by the full Council.

§ 2. This rule shall take effect immediately.