

STATE OF NEW YORK
COUNTY OF NASSAU

ss.:

Issued to:

NO.

I, MICHAEL C. PULITZER, Clerk Of the Legislature of the County of Nassau, do hereby certify that on

Monday, August 5, 2024, the annexed Local Law 5-2024 was passed by

the Nassau County Legislature, by a majority vote of the voting power of the said Nassau County Legislature.

FURTHER, that the total voting power of the said Nassau County Legislature is nineteen,


THAT the total votes for said proposed local law were 12 Yea / 0 Nay

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the official seal of said Nassau County Legislature

This 14 day of August,

in the Year two thousand and 24.

Clerk of the Legislature


County of Nassau
Fifteenth Legislature

August 14, 2024
Secretary of State
State Record and Law Bureau
99 Washington Ave Suite 600
Albany, New York 12231

Dear Sir/Madam:

In accordance with Section 160 of the County Government Law of Nassau County which require that the Clerk of Nassau County Legislature file a certified copy of a local law within five days, I am transmitting to you one (1) copy of **Local Law Number 5-2024**, to be filed.

Should there be any questions regarding timely filing of the enclosed Local Law, please contact my office immediately at (516) 571- 4390. Also please acknowledge receipt of same.

Very truly yours,

Crystal Albert
Special Assistant to the Clerk of the Legislature

CA/MP
Encl.

Local Law Filing Instructions

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
 2. Each local law to be filed with the Secretary of State shall be an original certified copy.
 3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
 4. File only the number, title and text of the local law.
 5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
 6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.
- It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.
7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
 8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Nassau

Local Law No. 5 of the year 20²⁴

A local law A LOCAL LAW TO PROHIBIT THE USE OF A MASK OR FACIAL COVERING FOR
(Insert Title)
THE PURPOSES OF CONCEALING AN INDIVIDUAL'S IDENTITY IN A
PUBLIC PLACE

Be it enacted by the NASSAU COUNTY LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of NASSAU

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2024 of the (County)(City)(Town)(Village) of NASSAU was duly passed by the NASSAU COUNTY LEGISLATURE on AUGUST 5 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2024 of the (County)(City)(Town)(Village) of NASSAU was duly passed by the NASSAU COUNTY LEGISLATURE on AUGUST 5 2024, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the COUNTY EXECUTIVE and was deemed duly adopted *(Elective Chief Executive Officer*)* on AUGUST 14 2024, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 8/14/2024

(Seal)

RESOLUTION NO. 15-2024 AS TO PROCEDURE

A RESOLUTION RATIFYING THE ACTION OF THE CLERK OF THE LEGISLATURE TO CAUSE TO BE PUBLISHED A NOTICE OF HEARING ON A ORDINANCE LAID ON THE DESKS OF THE LEGISLATORS BY THE CLERK OF THE LEGISLATURE, PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY, THE NASSAU COUNTY ADMINISTRATIVE CODE AND THE RULES OF THE COUNTY LEGISLATURE.

Became a resolution on July 15, 2024

Votes to Open Hearing: for: 19, against 0

Votes to Close Hearing: for: 19, against 0

WHEREAS, the Clerk of the Legislature has laid upon the desks of the Legislators

A Ordinance Entitled:

A LOCAL LAW TO PROHIBIT THE USE OF A MASK OR FACIAL COVERING FOR THE PURPOSES OF CONCEALING AN INDIVIDUAL'S IDENTITY IN A PUBLIC PLACE 142-24(LE)

RESOLVED, that a public hearing on such proposed Ordinance be held before this Legislature in its Meeting Room in the Theodore Roosevelt Executive and Legislative Building, Mineola, New York, on August 5, 2024 at 1:00 clock in the afternoon of that day; and further

RESOLVED, that the Clerk of the Legislature publishing in the official newspapers of the County at least four days prior to the date of such public hearing, a notice specifying the title of such proposed Resolution and the time and place of such public hearing, is hereby ratified and confirmed.

142/LL5

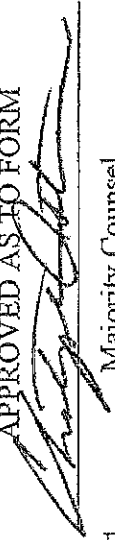
Amendment in the Nature of a Substitution – Clerk Item #142-24

Introduced by: Legislator Mazi Melesa Pilip

Cosponsored by: Presiding Officer Howard J. Kopel, Deputy Presiding Officer Thomas McKevitt, Alternate Deputy Presiding Officer John R. Ferretti, Jr., and Legislators Patrick Mullaney, John J. Giuffré, Scott Strauss, Michael Giangregorio, C. William Gaylor, III, Rose Marie Walker, Samantha Goetz, and James Kennedy

LOCAL LAW NO. 5

A LOCAL LAW TO PROHIBIT THE USE OF A MASK OR FACIAL COVERING FOR THE PURPOSES OF CONCEALING AN INDIVIDUAL'S IDENTITY IN A PUBLIC PLACE

APPROVED AS TO FORM

Majority Counsel

Passed by the Nassau County Legislature on August 5, 2024
Voting: Ayes: 12, Nays: 0, Abstain: 7
Became a Law on August 14, 2024 with the approval of the County Executive

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

§1. Short Title. This law shall be known as the “Mask Transparency Act” and shall appear in the Miscellaneous Laws of Nassau County as Title 90.

§2. Legislative Intent.

This Legislature finds that masks and facial coverings that are not worn for health and safety concerns or for religious or celebratory purposes are often used as a predicate to harassing, menacing or criminal behavior.

Therefore, the primary purpose of this law is to prohibit the wearing of masks or other facial covering in public unless such mask is worn for the purposes of protecting the wearer's health or safety or for religious or celebratory purposes.

§3. Prohibition on wearing of masks or facial coverings for the purposes of concealing an individual's identity in public places.

- a) No person or persons while wearing any mask or facial covering whereby the face or voice is disguised with the intent to conceal the identity of the wearer, enter, or appear upon or within any sidewalk, walkway, alley, street, road, highway or other public right-of-way or public property or private property without the consent of the owner or tenant. This law shall not apply to facial coverings worn to protect the health or safety of the wearer, for religious or cultural purposes, or for the peaceful celebration of a holiday or similar religious or cultural event for which the wearing of masks or facial coverings are customarily worn. A law enforcement officer may require a person or persons to remove the mask during traffic stops or when the officer has reasonable suspicion of criminal activity and/or intention to partake in criminal activity.
- b) The provisions of this section shall apply only if the person wearing the mask or facial covering:
 1. remains or congregates in a public place with other persons so masked or disguised, or knowingly permits or aids persons so masked or disguised to congregate in a public place; or
 2. acts with the intent, by force or threat of force, to injure, intimidate, or interfere with any person because of the person's exercise of any right secured by federal, state, or local law or to intimidate such person or any other person or any class of persons from exercising any right secured by federal, state, or local law; or
 3. acts with the intent to intimidate, threaten, abuse, or harass any other person; or
 4. is engaged in conduct that could reasonably lead to the institution of a civil or criminal proceeding against her or him, with the intent of avoiding identification in such a proceeding.

§4. **Penalties.** Any person that violates any provision of this law shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or imprisonment of not more than one year, or both.

§5. **Severability:** If any clause, sentence, paragraph, subdivision, section or part of this local 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 order or judgment shall be rendered.

§6. **SEQRA Determination**

It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section

1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required.

§7. **Effective Date:** This law shall take effect immediately after becoming a law.

APPROVED

[Handwritten Signature] CE

County Executive

Date 9 | 14 | 2024