



**THE NASSAU COUNTY LEGISLATURE
OFFICE OF LEGISLATIVE BUDGET REVIEW
MAURICE CHALMERS, DIRECTOR
FISCAL IMPACT STATEMENT**

TITLE:

A Local Law to amend the Nassau County Administrative Code in relation to designating the proper parties to receive service of process in actions and legal proceedings against the County.

SUMMARY OF LEGISLATION: The Administrative Code §11-4.0 of Nassau County provides that “All process and papers for the commencement of actions and legal proceedings against the County of Nassau or any agency, commission, department or bureau thereof, shall be served either upon the County Executive, the clerk of the Board of Supervisors, the County Clerk, the County Treasurer or the County Attorney, and all actions or proceedings, wherein the County of Nassau or any agency, commission, department or bureau thereof is a party shall be brought and maintained in the County of Nassau.” The main difference between the current Administrative Code and the New York Civil Practice Law and Rules (“CPLR”) is that the County Executive is not identified as a proper party for service of process in the CPLR. This proposed local law removes any reference to the specific office and relies solely on the language of the CPLR and will allow consistency in the process and avoid and/or reduce unnecessary litigation over this issue.

The intent of this proposed local law is to make the Administrative Code consistent with State law thereby avoiding confusion for County officials and litigants.

EFFECTIVE DATE:

This local law would take effect immediately.

ECONOMIC IMPACT:

The proposed law is not expected to have any economic impact on the local economy.

FISCAL IMPACT:

The objective of this proposed local law is to refine the Nassau County Administrative Code and as such, there will be little, if any fiscal impact.

SOURCES OF INFORMATION:

Office of the County Attorney of Nassau County

PREPARED BY:

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