

1434

2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. DILAN, DIAZ, HASSELL-THOMPSON, C. JOHNSON, KRUEGER, MONTGOMERY, ONORATO, OPPENHEIMER, PARKER, SAMPSON, SCHNEIDERMAN, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to prohibiting election commissioners and deputy elections commissioners from holding a publicly elected office

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 4 of section 3-200 of the election law, as
2 amended by chapter 195 of the laws of 2003, is amended to read as
3 follows:
4 4. No person [shall be] appointed as election commissioner or DEPUTY
5 ELECTION COMMISSIONER SHALL continue to hold office who is not a regis-
6 tered voter in the county and not an enrolled member of the party recom-
7 mending his OR HER appointment, or who holds any other public office,
8 except that of commissioner of deeds, notary public, [village officer,
9 city or town justice,] member of a community board within the city of
10 New York or trustee or officer of a school district outside of a city.
11 S 2. Subdivision 6 of section 3-200 of the election law is amended to
12 read as follows:
13 6. An election commissioner OR DEPUTY ELECTION COMMISSIONER shall not
14 be a candidate for any elective office which he OR SHE would not be
15 entitled to hold under the provisions of this article, unless he OR SHE
16 has ceased by resignation or otherwise, to be commissioner OR DEPUTY
17 COMMISSIONER prior to his OR HER nomination or designation therefor.
18 Otherwise such nomination or designation shall be null and void.
19 S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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