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I N   S E N A T E

April 20, 2010

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Introduced by Sens. SQUADRON, SCHNEIDERMAN -- 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 providing for a state board of elections enforcement unit and counsel

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

1     Section 1. Subdivision 3 of section 3-100 of the election law, as  
2 amended by chapter 220 of the laws of 2005, is amended to read as  
3 follows:  
4     3. The commissioners of the state board of elections shall have no  
5 other public employment. The commissioners shall receive an annual salary  
6 of twenty-five thousand dollars, within the amounts made available  
7 therefor by appropriation. The board shall, for the purposes of sections  
8 seventy-three and seventy-four of the public officers law, be a "state  
9 agency", and such commissioners shall be "officers" of the state board  
10 of elections for the purposes of such sections. Within the amounts made  
11 available by appropriation therefor, the state board of elections shall  
12 appoint two co-executive directors, [counsel] AN ENFORCEMENT COUNSEL, A  
13 DEPUTY ENFORCEMENT COUNSEL, WHO SHALL BE A MEMBER OF A DIFFERENT MAJOR  
14 POLITICAL PARTY THAN THE ENFORCEMENT COUNSEL, A SPECIAL COUNSEL, A DEPUTY  
15 SPECIAL COUNSEL, WHO SHALL BE A MEMBER OF A DIFFERENT MAJOR POLITICAL  
16 PARTY THAN THE SPECIAL COUNSEL, A DIRECTOR OF ELECTION OPERATIONS, A  
17 DEPUTY DIRECTOR OF ELECTION OPERATIONS, WHO SHALL BE A MEMBER OF A  
18 DIFFERENT MAJOR POLITICAL PARTY THAN THE DIRECTOR OF ELECTION OPERATIONS,  
19 A DIRECTOR OF PUBLIC INFORMATION, A DEPUTY DIRECTOR OF PUBLIC  
20 INFORMATION, WHO SHALL BE A MEMBER OF A DIFFERENT MAJOR POLITICAL PARTY  
21 THAN THE DIRECTOR OF PUBLIC INFORMATION and such other staff members as  
22 are necessary in the exercise of its functions, and may fix their  
23 compensation. [Anytime after the effective date of the chapter of the  
24 laws of two thousand five which amended this subdivision, the] THE  
25 commissioners or, in the case of a vacancy on the board, the commissioner  
26 of each of the major political parties shall appoint one co-executive  
27 director. Each co-executive director shall serve a term of four years.

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

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1 THE ENFORCEMENT COUNSEL AND THE SPECIAL COUNSEL SHALL EACH SERVE A TERM  
2 OF FOUR YEARS AND MAY ONLY BE REMOVED FOR CAUSE. ANY TIME AFTER THE  
3 EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND TEN AMENDING  
4 THIS SUBDIVISION, THE COMMISSIONERS, OR IN THE CASE OF A VACANCY ON THE  
5 BOARD, THE COMMISSIONER, OF EACH OF THE SAME MAJOR POLITICAL PARTY AS  
6 THE INCUMBENT ENFORCEMENT COUNSEL, DEPUTY ENFORCEMENT COUNSEL, SPECIAL  
7 COUNSEL, DEPUTY SPECIAL COUNSEL, DIRECTOR OF ELECTION OPERATIONS, DEPUTY  
8 DIRECTOR OF ELECTION OPERATIONS, DIRECTOR OF PUBLIC INFORMATION AND  
9 DEPUTY DIRECTOR OF PUBLIC INFORMATION, SHALL APPOINT SUCH COUNSELS,  
10 DIRECTORS AND DEPUTIES. Any vacancy in the office of co-executive direc-  
11 tor, ENFORCEMENT COUNSEL, DEPUTY ENFORCEMENT COUNSEL, SPECIAL COUNSEL,  
12 DEPUTY SPECIAL COUNSEL, DIRECTOR OF ELECTION OPERATIONS, DEPUTY DIRECTOR  
13 OF ELECTION OPERATIONS, DIRECTOR OF PUBLIC INFORMATION AND DEPUTY DIREC-  
14 TOR OF PUBLIC INFORMATION, shall be filled by the commissioners or, in  
15 the case of a vacancy on the board, the commissioner of the same major  
16 political party as the vacating incumbent for the remaining period of  
17 the term of such vacating incumbent, FOR THE REMAINING PERIOD OF THE  
18 TERM OF SUCH VACATING INCUMBENT.

19 S 2. Subdivision 3, paragraph (c) of subdivision 9-A and subdivision  
20 17 of section 3-102 of the election law, subdivisions 3 and 17 as  
21 amended by chapter 9 of the laws of 1978, paragraph (c) of subdivision  
22 9-A as added by chapter 430 of the laws of 1997 and subdivision 17 as  
23 renumbered by chapter 23 of the laws of 2005, are amended to read as  
24 follows:

25 3. conduct any investigation necessary to carry out the provisions of  
26 this chapter, PROVIDED, HOWEVER, THAT THE STATE BOARD OF ELECTIONS  
27 ENFORCEMENT COUNSEL, ESTABLISHED PURSUANT TO SECTION 3-104 OF THIS ARTI-  
28 CLE, SHALL CONDUCT ANY INVESTIGATION NECESSARY TO ENFORCE THE PROVISIONS  
29 OF ARTICLE FOURTEEN OF THIS CHAPTER ON BEHALF OF THE BOARD OF ELECTIONS;

30 (c) establish [a] AN EDUCATIONAL AND training program on ALL REPORTING  
31 REQUIREMENTS INCLUDING BUT NOT LIMITED TO the electronic reporting proc-  
32 ess and make it EASILY AND READILY available to any such candidate or  
33 committee AND NOTIFY ANY SUCH CANDIDATE OR COMMITTEE OF THE AVAILABILITY  
34 OF THE MOST RECENT CAMPAIGN FINANCE HANDBOOK;

35 17. HEAR AND CONSIDER THE RECOMMENDATIONS OF THE STATE BOARD OF  
36 ELECTIONS ENFORCEMENT COUNSEL REGARDING THE ENFORCEMENT OF VIOLATIONS OF  
37 ARTICLE FOURTEEN OF THIS CHAPTER;

38 18. perform such other acts as may be necessary to carry out the  
39 purposes of this chapter.

40 S 3. Section 3-104 of the election law, subdivisions 1, 3, 4 and 5 as  
41 redesignated and subdivision 2 as amended by chapter 9 of the laws of  
42 1978, is amended to read as follows:

43 S 3-104. State board of elections AND THE STATE BOARD OF ELECTIONS  
44 ENFORCEMENT COUNSEL; enforcement powers. 1. (A) THERE SHALL BE A UNIT  
45 KNOWN AS THE STATE BOARD OF ELECTIONS ENFORCEMENT UNIT ESTABLISHED WITH-  
46 IN THE STATE BOARD OF ELECTIONS. THE HEAD OF SUCH UNIT SHALL BE THE  
47 ENFORCEMENT COUNSEL.

48 (B) The state board of elections shall have jurisdiction of, and be  
49 responsible for, the execution and enforcement of the provisions of  
50 [article fourteen of this chapter and other] statutes governing  
51 campaigns, elections and related procedures; PROVIDED HOWEVER THAT THE  
52 ENFORCEMENT COUNSEL SHALL HAVE SOLE AUTHORITY WITHIN THE STATE BOARD OF  
53 ELECTIONS TO INVESTIGATE ON HIS OR HER OWN INITIATIVE OR UPON COMPLAINT,  
54 ALLEGED VIOLATIONS OF ARTICLE FOURTEEN OF THIS CHAPTER AND ALL  
55 COMPLAINTS ALLEGING ARTICLE FOURTEEN VIOLATIONS SHALL BE FORWARDED TO  
56 THE ENFORCEMENT UNIT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO

1 DIMINISH OR ALTER THE STATE BOARD OF ELECTIONS' JURISDICTION PURSUANT TO  
2 THIS CHAPTER.

3 2. Whenever [the state board of elections or other] A LOCAL board of  
4 elections shall determine, on its own initiative or upon complaint, or  
5 otherwise, that there is substantial reason to believe a violation of  
6 this chapter or any code or regulation promulgated thereunder has  
7 [occurred] BEEN COMMITTED BY A CANDIDATE OR POLITICAL COMMITTEE THAT  
8 FILES STATEMENTS OR IS REQUIRED TO DO SO PURSUANT TO ARTICLE FOURTEEN OF  
9 THIS CHAPTER SOLELY WITH SUCH LOCAL BOARD, it shall expeditiously make  
10 an investigation which shall also include investigation of reports and  
11 statements made or failed to be made by the complainant and any poli-  
12 tical committee supporting his candidacy if the complainant is a candi-  
13 date or, if the complaint was made by an officer or member of a poli-  
14 tical committee, of reports and statements made or failed to be made by  
15 such political committee and any candidates supported by it. [The state  
16 board of elections, in lieu of making such an investigation, may direct  
17 the appropriate board of elections to make an investigation.] The state  
18 board of elections may request, and shall receive, the assistance of the  
19 state police in any investigation it shall conduct.

20 3. [If, after an investigation, the state or other board of elections  
21 finds reasonable cause to believe that a violation warranting criminal  
22 prosecution has taken place, it shall forthwith refer the matter to the  
23 district attorney of the appropriate county and shall make available to  
24 such district attorney all relevant papers, documents, testimony and  
25 findings relevant to its investigation.

26 4. The state or other board of elections may, where appropriate,  
27 commence a judicial proceeding with respect to the filing or failure to  
28 file any statement of receipts, expenditures, or contributions, under  
29 the provisions of this chapter, and the state board of elections may  
30 direct the appropriate other board of elections to commence such  
31 proceeding.

32 5.] IF THE ENFORCEMENT COUNSEL DETERMINES THAT A VIOLATION OF SUBDI-  
33 VISION ONE OF SECTION 14-126 OF THIS CHAPTER HAS OCCURRED WHICH COULD  
34 WARRANT A CIVIL PENALTY, THE ENFORCEMENT COUNSEL SHALL, UPON HIS OR HER  
35 DISCRETION, SEEK TO RESOLVE THE MATTER EXTRA-JUDICIALLY OR COMMENCE A  
36 SPECIAL PROCEEDING IN THE SUPREME COURT PURSUANT TO SECTION 16-114 OF  
37 THIS CHAPTER.

38 4. UPON RECEIPT OF A COMPLAINT AND SUPPORTING INFORMATION OR AN INTER-  
39 NAL REFERRAL FROM THE ENFORCEMENT UNIT ALLEGING ANY OTHER VIOLATION OF  
40 ARTICLE FOURTEEN OF THIS CHAPTER, THE ENFORCEMENT COUNSEL SHALL ANALYZE  
41 THE FACTS AND THE LAW RELEVANT TO SUCH COMPLAINT OR REFERRAL TO DETER-  
42 MINE IF AN INVESTIGATION SHOULD BE UNDERTAKEN. THE ENFORCEMENT COUNSEL  
43 SHALL, IF NECESSARY, REQUEST ADDITIONAL INFORMATION FROM THE COMPLAINANT  
44 TO ASSIST SUCH COUNSEL IN MAKING THIS DETERMINATION. SUCH ANALYSIS SHALL  
45 INCLUDE THE FOLLOWING: FIRST, WHETHER THE ALLEGATIONS, IF TRUE, WOULD  
46 CONSTITUTE A VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER AND, SECOND,  
47 WHETHER THE ALLEGATIONS ARE SUPPORTED BY CREDIBLE EVIDENCE.

48 5. IF THE ENFORCEMENT COUNSEL DETERMINES THAT THE ALLEGATIONS  
49 CONTAINED IN A COMPLAINT, IF TRUE, WOULD NOT CONSTITUTE A VIOLATION OF  
50 ARTICLE FOURTEEN OF THIS CHAPTER OR THAT THE ALLEGATIONS ARE NOT  
51 SUPPORTED BY CREDIBLE EVIDENCE, HE OR SHE SHALL: (A) NOTIFY THE DEPUTY  
52 ENFORCEMENT COUNSEL OF SUCH DETERMINATION AND (B) PUBLICLY NOTIFY THE  
53 STATE BOARD OF ELECTIONS OF SUCH DETERMINATION. IF THE STATE BOARD OF  
54 ELECTIONS PUBLICLY DETERMINES, AS PROVIDED IN THIS TITLE, THAT THE ALLE-  
55 GATIONS, IF TRUE, WOULD CONSTITUTE A VIOLATION OF ARTICLE FOURTEEN OF  
56 THIS CHAPTER AND THAT THE ALLEGATIONS APPEAR TO BE SUPPORTED BY CREDIBLE

1 EVIDENCE, IT SHALL DIRECT THAT THE ENFORCEMENT COUNSEL CONDUCT AN INVESTIGATION. LACKING SUCH A DETERMINATION, THE ENFORCEMENT COUNSEL SHALL  
2  
3 ISSUE A LETTER TO THE COMPLAINANT DISMISSING THE COMPLAINT.

4 6. IF THE ENFORCEMENT COUNSEL DETERMINES THAT THE ALLEGATIONS, IF  
5 TRUE, WOULD CONSTITUTE A VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER  
6 AND THAT THE ALLEGATIONS APPEAR TO BE SUPPORTED BY CREDIBLE EVIDENCE, HE  
7 OR SHE SHALL: (A) NOTIFY THE DEPUTY ENFORCEMENT COUNSEL OF (I) HIS OR  
8 HER INTENT TO RESOLVE THE MATTER EXTRA-JUDICIALLY DUE TO THE DE MINIMUS  
9 NATURE OF THE VIOLATION; OR (II) HIS OR HER INTENT TO COMMENCE AN INVESTIGATION, AND (B) PUBLICLY NOTIFY THE STATE BOARD OF ELECTIONS OF SUCH  
10 INTENT NO LATER THAN THE BOARD'S NEXT REGULARLY SCHEDULED MEETING.  
11 NOTIFICATION SHALL SUMMARIZE THE RELEVANT FACTS AND THE APPLICABLE LAW  
12 AND SHALL, TO THE EXTENT POSSIBLE, PROTECT FROM PUBLIC DISCLOSURE THE  
13 IDENTITY OF THE COMPLAINANT AND THE INDIVIDUAL SUBJECT TO THE COMPLAINT.  
14 THE DEPUTY ENFORCEMENT COUNSEL SHALL HAVE THE OPPORTUNITY TO REVIEW THE  
15 ENTIRE FILE OF ANY PRELIMINARY INVESTIGATION CONDUCTED BY THE ENFORCEMENT COUNSEL A MINIMUM OF TEN DAYS PRIOR TO SAID REGULARLY SCHEDULED  
16 MEETING OF THE BOARD AND TO SUBMIT A PUBLIC, WRITTEN CONCURRENCE WITH OR  
17 DISSENT FROM THE ENFORCEMENT COUNSEL'S PROPOSAL.  
18

19 7. IF, UPON CONSIDERING THE ENFORCEMENT COUNSEL'S NOTICE OF INTENT TO  
20 COMMENCE AN INVESTIGATION AND THE DEPUTY ENFORCEMENT COUNSEL'S RECOMMENDATION, THE STATE BOARD OF ELECTIONS BELIEVES THAT THE ALLEGATIONS, IF  
21 TRUE, WOULD NOT CONSTITUTE A VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER, OR THE ALLEGATIONS ARE NOT SUPPORTED BY CREDIBLE EVIDENCE OR, THAT  
22 ON BALANCE, THE EQUITIES FAVOR A DISMISSAL OF THE COMPLAINT, THE BOARD  
23 SHALL PUBLICLY DIRECT THAT AN INVESTIGATION NOT BE UNDERTAKEN NO LATER  
24 THAN SIXTY DAYS AFTER THE RECEIPT OF NOTIFICATION FROM THE ENFORCEMENT  
25 COUNSEL OF HIS OR HER INTENT TO COMMENCE AN INVESTIGATION. IN DETERMINING WHETHER THE EQUITIES FAVOR A DISMISSAL OF THE COMPLAINT, THE STATE  
26 BOARD OF ELECTIONS SHALL CONSIDER THE FOLLOWING FACTORS: (A) WHETHER THE  
27 COMPLAINT ALLEGES A DE MINIMUS VIOLATION OF ARTICLE FOURTEEN OF THIS  
28 CHAPTER; (B) WHETHER THE SUBJECT OF THE COMPLAINT HAS MADE A GOOD FAITH  
29 EFFORT TO CORRECT THE VIOLATION; AND (C) WHETHER THE SUBJECT OF THE  
30 COMPLAINT HAS A HISTORY OF SIMILAR VIOLATIONS. DETERMINATIONS OF THE  
31 STATE BOARD OF ELECTIONS TO DISMISS A COMPLAINT AND NOT PROCEED WITH A  
32 FORMAL INVESTIGATION SHALL BE VOTED UPON AS PROVIDED IN SUBDIVISION FOUR  
33 OF SECTION 3-100 OF THIS TITLE AT AN OPEN MEETING PURSUANT TO ARTICLE  
34 SEVEN OF THE PUBLIC OFFICERS LAW, AND SHALL BE MADE ON A FAIR AND EQUITABLE BASIS AND WITHOUT REGARD TO THE STATUS OF THE SUBJECT OF THE  
35 COMPLAINT.  
36

37 8. ABSENT A TIMELY DETERMINATION BY THE STATE BOARD OF ELECTIONS THAT  
38 AN INVESTIGATION SHALL NOT BE UNDERTAKEN, THE ENFORCEMENT COUNSEL SHALL  
39 COMMENCE AN INVESTIGATION ON A TIMELY BASIS. IF THE ENFORCEMENT COUNSEL  
40 DETERMINES THAT ADDITIONAL INVESTIGATIVE POWERS, AS PROVIDED FOR IN  
41 SUBDIVISIONS FOUR, FIVE AND SIX OF SECTION 3-102 OF THIS TITLE, ARE  
42 NEEDED TO COMPLETE THE COUNSEL'S INVESTIGATION, HE OR SHE SHALL REQUEST  
43 SUCH ADDITIONAL POWERS FROM THE STATE BOARD OF ELECTIONS. SUCH POWERS  
44 SHALL BE GRANTED BY THE BOARD IN PUBLIC ONLY WHEN THE BOARD FINDS THAT  
45 FURTHER INVESTIGATION IS WARRANTED AND JUSTIFIED.  
46

47 9. AT THE CONCLUSION OF ITS INVESTIGATION, THE ENFORCEMENT COUNSEL  
48 SHALL PROVIDE THE DEPUTY ENFORCEMENT COUNSEL AND THE STATE BOARD OF  
49 ELECTIONS WITH A WRITTEN RECOMMENDATION AS TO: (A) WHETHER SUBSTANTIAL  
50 REASON EXISTS TO BELIEVE A VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER  
51 HAS OCCURRED AND, IF SO, THE NATURE OF THE VIOLATION AND ANY APPLICABLE  
52 PENALTY, AS DEFINED IN SECTION 14-126 OF THIS CHAPTER, BASED ON THE  
53 NATURE OF THE VIOLATION; (B) WHETHER THE MATTER SHOULD BE RESOLVED  
54  
55  
56

EXTRA-JUDICIALLY; (C) WHETHER A SPECIAL PROCEEDING SHOULD BE COMMENCED IN THE SUPREME COURT TO RECOVER A CIVIL PENALTY; AND (D) WHETHER A REFERRAL SHOULD BE MADE TO A DISTRICT ATTORNEY PURSUANT TO SUBDIVISION ELEVEN OF THIS SECTION BECAUSE REASONABLE CAUSE EXISTS TO BELIEVE A VIOLATION WARRANTING CRIMINAL PROSECUTION HAS TAKEN PLACE. THE DEPUTY ENFORCEMENT COUNSEL SHALL HAVE THE OPPORTUNITY TO REVIEW THE ENTIRE FILE OF ANY INVESTIGATION CONDUCTED BY THE ENFORCEMENT COUNSEL A MINIMUM OF TEN DAYS PRIOR TO SAID REGULARLY SCHEDULED MEETING OF THE BOARD AND TO SUBMIT A PUBLIC, WRITTEN CONCURRENCE WITH OR DISSENT FROM THE ENFORCEMENT COUNSEL'S RECOMMENDATION.

10. THE STATE BOARD OF ELECTIONS SHALL ACCEPT, MODIFY OR REJECT THE ENFORCEMENT COUNSEL'S RECOMMENDATION NO LATER THAN SIXTY DAYS AFTER RECEIPT OF SUCH RECOMMENDATION. IN MAKING ITS DETERMINATION, THE BOARD SHALL AGAIN CONSIDER: (A) WHETHER THE COMPLAINT ALLEGES A DE MINIMUS VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER; (B) WHETHER THE SUBJECT OF THE COMPLAINT HAS MADE A GOOD FAITH EFFORT TO CORRECT THE VIOLATION; AND (C) WHETHER THE SUBJECT OF THE COMPLAINT HAS A HISTORY OF SIMILAR VIOLATIONS. ALL SUCH DETERMINATIONS SHALL BE VOTED UPON AS PROVIDED IN SUBDIVISION FOUR OF SECTION 3-100 OF THIS TITLE AT AN OPEN MEETING PURSUANT TO ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW, AND SHALL BE MADE ON A FAIR AND EQUITABLE BASIS, WITHOUT REGARD TO THE STATUS OF THE SUBJECT OF THE COMPLAINT.

11. (A) IF THE STATE BOARD OF ELECTIONS DETERMINES, AS PROVIDED IN SUBDIVISION TEN OF THIS SECTION, THAT SUBSTANTIAL REASON EXISTS TO BELIEVE THAT A PERSON, ACTING AS OR ON BEHALF OF A CANDIDATE OR POLITICAL COMMITTEE UNDER CIRCUMSTANCES EVINCING AN INTENT TO VIOLATE SUCH LAW, HAS UNLAWFULLY ACCEPTED A CONTRIBUTION IN EXCESS OF A CONTRIBUTION LIMITATION ESTABLISHED IN ARTICLE FOURTEEN OF THIS CHAPTER, WHICH COULD WARRANT A CIVIL PENALTY AS PROVIDED FOR IN SUBDIVISION THREE OF SECTION 14-126 OF THIS CHAPTER, THE BOARD SHALL DIRECT THE COMMENCEMENT OF A SPECIAL PROCEEDING IN THE SUPREME COURT.

(B) IF THE STATE BOARD OF ELECTIONS DETERMINES, AS PROVIDED IN SUBDIVISION TEN OF THIS SECTION THAT REASONABLE CAUSE EXISTS TO BELIEVE A VIOLATION WARRANTING CRIMINAL PROSECUTION HAS TAKEN PLACE, THE BOARD SHALL REFER THE MATTER TO A DISTRICT ATTORNEY AND SHALL MAKE AVAILABLE TO SUCH DISTRICT ATTORNEY ALL PAPERS, DOCUMENTS, TESTIMONY AND FINDINGS RELEVANT TO ITS INVESTIGATION.

12. UPON NOTIFICATION THAT A SPECIAL PROCEEDING HAS BEEN COMMENCED BY A PARTY OTHER THAN THE STATE BOARD OF ELECTIONS, PURSUANT TO SECTION 16-114 OF THIS CHAPTER, THE STATE BOARD OF ELECTIONS SHALL DIRECT THE ENFORCEMENT COUNSEL TO INVESTIGATE THE ALLEGED VIOLATIONS UNLESS OTHERWISE DIRECTED BY THE COURT.

13. THE ENFORCEMENT COUNSEL SHALL PREPARE A REPORT, TO BE INCLUDED IN THE ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE, SUMMARIZING THE ACTIVITIES OF THE UNIT DURING THE PREVIOUS YEAR. SUCH REPORT SHALL INCLUDE: (A) THE NUMBER OF COMPLAINTS RECEIVED; (B) THE NUMBER OF COMPLAINTS THAT WERE FOUND TO NEED INVESTIGATION AND THE NATURE OF EACH COMPLAINT; AND (C) THE NUMBER OF MATTERS THAT HAVE BEEN RESOLVED. THE REPORT SHALL NOT CONTAIN ANY INFORMATION FOR WHICH DISCLOSURE IS NOT PERMITTED.

14. The state board of elections may promulgate rules and regulations consistent with law to effectuate the provisions of this section.

S 4. The state of New York shall appropriate during each fiscal year to the New York state board of elections enforcement unit, not less than thirty-five percent of the appropriation available from the general fund

1 for the state board of elections to pay for the expenses of such  
2 enforcement unit.  
3 S 5. This act shall take effect immediately.