

876

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. SQUADRON -- 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 sala-
6 ry 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 DEPU-
15 TY 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 OPER-
19 ATIONS, 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

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

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

22 S 2. Subdivision 3, paragraph (c) of subdivision 9-A and subdivision
23 17 of section 3-102 of the election law, subdivisions 3 and 17 as
24 amended by chapter 9 of the laws of 1978, paragraph (c) of subdivision
25 9-A as added by chapter 430 of the laws of 1997 and subdivision 17 as
26 renumbered by chapter 23 of the laws of 2005, are amended to read as
27 follows:

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

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

38 17. HEAR AND CONSIDER THE RECOMMENDATIONS OF THE STATE BOARD OF
39 ELECTIONS ENFORCEMENT COUNSEL REGARDING THE ENFORCEMENT OF VIOLATIONS OF
40 ARTICLE FOURTEEN OF THIS CHAPTER;

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

43 S 3. Section 3-104 of the election law, subdivisions 1, 3, 4 and 5 as
44 redesignated and subdivision 2 as amended by chapter 9 of the laws of
45 1978, is amended to read as follows:

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

51 (B) The state board of elections shall have jurisdiction of, and be
52 responsible for, the execution and enforcement of the provisions of
53 [article fourteen of this chapter and other] statutes governing
54 campaigns, elections and related procedures; PROVIDED HOWEVER THAT THE
55 ENFORCEMENT COUNSEL SHALL HAVE SOLE AUTHORITY WITHIN THE STATE BOARD OF
56 ELECTIONS TO INVESTIGATE ON HIS OR HER OWN INITIATIVE OR UPON COMPLAINT,

1 ALLEGED VIOLATIONS OF ARTICLE FOURTEEN OF THIS CHAPTER AND ALL
2 COMPLAINTS ALLEGING ARTICLE FOURTEEN VIOLATIONS SHALL BE FORWARDED TO
3 THE ENFORCEMENT UNIT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
4 DIMINISH OR ALTER THE STATE BOARD OF ELECTIONS' JURISDICTION PURSUANT TO
5 THIS CHAPTER.

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

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

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

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

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

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

1 ELECTIONS PUBLICLY DETERMINES, AS PROVIDED IN THIS TITLE, THAT THE ALLE-
2 GATIONS, IF TRUE, WOULD CONSTITUTE A VIOLATION OF ARTICLE FOURTEEN OF
3 THIS CHAPTER AND THAT THE ALLEGATIONS APPEAR TO BE SUPPORTED BY CREDIBLE
4 EVIDENCE, IT SHALL DIRECT THAT THE ENFORCEMENT COUNSEL CONDUCT AN INVES-
5 TIGATION. LACKING SUCH A DETERMINATION, THE ENFORCEMENT COUNSEL SHALL
6 ISSUE A LETTER TO THE COMPLAINANT DISMISSING THE COMPLAINT.

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

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

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

53 9. AT THE CONCLUSION OF ITS INVESTIGATION, THE ENFORCEMENT COUNSEL
54 SHALL PROVIDE THE DEPUTY ENFORCEMENT COUNSEL AND THE STATE BOARD OF
55 ELECTIONS WITH A WRITTEN RECOMMENDATION AS TO: (A) WHETHER SUBSTANTIAL
56 REASON EXISTS TO BELIEVE A VIOLATION OF ARTICLE FOURTEEN OF THIS CHAPTER

1 HAS OCCURRED AND, IF SO, THE NATURE OF THE VIOLATION AND ANY APPLICABLE
2 PENALTY, AS DEFINED IN SECTION 14-126 OF THIS CHAPTER, BASED ON THE
3 NATURE OF THE VIOLATION; (B) WHETHER THE MATTER SHOULD BE RESOLVED
4 EXTRA-JUDICIALLY; (C) WHETHER A SPECIAL PROCEEDING SHOULD BE COMMENCED
5 IN THE SUPREME COURT TO RECOVER A CIVIL PENALTY; AND (D) WHETHER A
6 REFERRAL SHOULD BE MADE TO A DISTRICT ATTORNEY PURSUANT TO SUBDIVISION
7 ELEVEN OF THIS SECTION BECAUSE REASONABLE CAUSE EXISTS TO BELIEVE A
8 VIOLATION WARRANTING CRIMINAL PROSECUTION HAS TAKEN PLACE. THE DEPUTY
9 ENFORCEMENT COUNSEL SHALL HAVE THE OPPORTUNITY TO REVIEW THE ENTIRE FILE
10 OF ANY INVESTIGATION CONDUCTED BY THE ENFORCEMENT COUNSEL A MINIMUM OF
11 TEN DAYS PRIOR TO SAID REGULARLY SCHEDULED MEETING OF THE BOARD AND TO
12 SUBMIT A PUBLIC, WRITTEN CONCURRENCE WITH OR DISSENT FROM THE ENFORCE-
13 MENT COUNSEL'S RECOMMENDATION.

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

26 11. (A) IF THE STATE BOARD OF ELECTIONS DETERMINES, AS PROVIDED IN
27 SUBDIVISION TEN OF THIS SECTION, THAT SUBSTANTIAL REASON EXISTS TO
28 BELIEVE THAT A PERSON, ACTING AS OR ON BEHALF OF A CANDIDATE OR POLI-
29 TICAL COMMITTEE UNDER CIRCUMSTANCES EVINCING AN INTENT TO VIOLATE SUCH
30 LAW, HAS UNLAWFULLY ACCEPTED A CONTRIBUTION IN EXCESS OF A CONTRIBUTION
31 LIMITATION ESTABLISHED IN ARTICLE FOURTEEN OF THIS CHAPTER, WHICH COULD
32 WARRANT A CIVIL PENALTY AS PROVIDED FOR IN SUBDIVISION THREE OF SECTION
33 14-126 OF THIS CHAPTER, THE BOARD SHALL DIRECT THE COMMENCEMENT OF A
34 SPECIAL PROCEEDING IN THE SUPREME COURT.

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

41 12. UPON NOTIFICATION THAT A SPECIAL PROCEEDING HAS BEEN COMMENCED BY
42 A PARTY OTHER THAN THE STATE BOARD OF ELECTIONS, PURSUANT TO SECTION
43 16-114 OF THIS CHAPTER, THE STATE BOARD OF ELECTIONS SHALL DIRECT THE
44 ENFORCEMENT COUNSEL TO INVESTIGATE THE ALLEGED VIOLATIONS UNLESS OTHER-
45 WISE DIRECTED BY THE COURT.

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

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

1 S 4. The state of New York shall appropriate during each fiscal year
2 to the New York state board of elections enforcement unit, not less than
3 thirty-five percent of the appropriation available from the general fund
4 for the state board of elections to pay for the expenses of such
5 enforcement unit.
6 S 5. This act shall take effect immediately.