S T A T E O F N E W Y O R K

1329

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sens. DILAN, DIAZ -- 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 eligibility restrictions for designation or nomination

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

Section 1. Section 6-122 of the election law, as amended by chapter 511 of the laws of 1993, is amended to read as follows:

S 6-122. Designation or nomination; eligibility, restrictions. 1. A person shall not be designated or nominated for a public office or party position who (1) is not a citizen of the state of New York; (2) is ineligible to be elected to such office or position; or (3) who, if elected will not at the time of commencement of the term of such office or position, meet the constitutional or statutory qualifications thereof or, with respect to judicial office, who will not meet such qualifications within thirty days of the commencement of the term of such office.

2. FOR THE PURPOSES OF THIS SECTION, THE RESIDENCE ADDRESS OF A PERSON, AT THE TIME OF FILING OF A DESIGNATING OR NOMINATING PETITION OR A CERTIFICATE OF DESIGNATION, NOMINATION OR SUBSTITUTION AND NAMED AS A CANDIDATE FOR PUBLIC OFFICE OR PARTY POSITION IN SUCH PETITION OR CERTIFICATE, SHALL BE PRESUMED TO BE THE RESIDENCE ADDRESS OF SUCH PERSON AT THE TIME OF COMMENCEMENT OF THE TERM OF SUCH OFFICE OR POSITION.

3. FOR THE PURPOSES OF THIS SECTION, IN THE EVENT A PERSON, WHO WAS QUALIFIED PURSUANT TO SUBDIVISIONS ONE AND TWO OF THIS SECTION, CHANGES HIS OR HER RESIDENCE SUBSEQUENT TO THE FILING OF A PETITION OR CERTIFICATE, AS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION, THE NEW RESIDENCE ADDRESS SHALL THEN BE PRESUMED TO BE THE RESIDENCE ADDRESS OF SUCH PERSON AT THE TIME OF COMMENCEMENT OF THE TERM OF PUBLIC OFFICE OR PARTY POSITION.

S 2. This act shall take effect on the first of December next succeeding the date on which it shall have become a law.

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

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