

STATE OF NEW YORK

8183

2021-2022 Regular Sessions

IN ASSEMBLY

August 25, 2021

Introduced by M. of A. KELLES -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to authorizing parties without county committees to exercise certain party functions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 6-120 of the election law, as
2 amended by chapter 226 of the laws of 1982, is amended to read as
3 follows:

4 3. The members of the party committee representing the political
5 subdivision of the office for which a designation or nomination is to be
6 made, unless the rules of the party provide for another committee, in
7 which case the members of such other committee, [~~and except as herein~~
8 ~~after in this subdivision provided with respect to certain offices in~~
9 ~~the city of New York,~~] may, by a majority vote of those present at such
10 meeting provided a quorum is present, authorize the designation or nomi-
11 nation of a person as candidate for any office who is not enrolled as a
12 member of such party as provided in this section. [~~In~~] Notwithstanding
13 the foregoing, in the event that such designation or nomination is made
14 by a party with county committees constituted in all five counties of
15 the city of New York for an office to be filled by all the voters of the
16 city of New York, such authorization must be by a majority vote of those
17 present at a joint meeting of the executive committees of each of the
18 county committees of the party within the city of New York, provided a
19 quorum is present at such meeting. The certificate of authorization
20 shall be filed not later than four days after the last day to file the
21 designating petition, certificate of nomination or certificate of
22 substitution to which such authorization relates. The certificate of
23 authorization shall be signed and acknowledged by the presiding officer
24 and the secretary of the meeting at which such authorization was given.

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

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1 § 2. Subdivision 2 of section 16-110 of the election law is amended to
2 read as follows:

3 2. The [~~chairman~~] chairperson of the county committee of a party with
4 which a voter is enrolled in such county or such other person as may be
5 designated by the rules of the party, may, upon a written complaint by
6 an enrolled member of such party in such county and after a hearing held
7 by [~~him~~] such person or by a sub-committee appointed by [~~him~~] such
8 person upon at least two days' notice to the voter, personally or by
9 mail, determine that the voter is not in sympathy with the principles of
10 such party. The Supreme Court or a justice thereof within the judicial
11 district, in a proceeding instituted by a duly enrolled voter of the
12 party at least ten days before a primary election, shall direct the
13 enrollment of such voter to be cancelled if it appears from the
14 proceedings before such [~~chairman~~] person or sub-committee, and other
15 proofs, if any, presented, that such determination is just.

16 § 3. This act shall take effect immediately.