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

1970

2009-2010 Regular Sessions

I N A S S E M B L Y

January 14, 2009

Introduced by M. of A. CLARK, COLTON -- Multi-Sponsored by -- M. of A. GALEF, GOTTFRIED, PAULIN -- read once and referred to the Committee on Election Law

AN ACT to amend the public officers law, in relation to the time for setting a special election

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

Section 1. Subdivision 3 of section 42 of the public officers law, as amended by chapter 105 of the laws of 1943, is amended to read as follows:

3. Upon the failure to elect to any office, except that of governor or lieutenant-governor, at a general or special election, at which such office is authorized to be filled, or upon the death or disqualification of a person elected to office before the commencement of his official term, or upon the occurrence of a vacancy in any elective office which cannot be filled by appointment for a period extending to or beyond the next general election at which a person may be elected thereto, the governor may in his discretion make proclamation of a special election to fill such office, specifying the district or county in which the election is to be held, and the day thereof, which shall be not less than [thirty] FIFTY nor more than [forty] SIXTY days from the date of the proclamation.

S 2. 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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