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

5621

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. MOLINARO, TOWNSEND, FINCH, TOBACCO, SCOZZAFAVA -- Multi-Sponsored by -- M. of A. CALHOUN, DUPREY, KOLB, SAYWARD -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to public opinion polls

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

Section 1. The election law is amended by adding a new section 14-107 to read as follows:

S 14-107. PUBLIC OPINION POLLS. 1. A CANDIDATE, POLITICAL PARTY OR COMMITTEE DURING THE COURSE OF ANY CAMPAIGN FOR NOMINATION OR ELECTION TO PUBLIC OFFICE OR PARTY POSITION SHALL DISCLOSE OR PERMIT TO BE DISCLOSED, THE RESULTS OF A POLL RELATING TO A CANDIDATE FOR SUCH OFFICE OR POSITION AND WITHIN FIVE BUSINESS DAYS AFTER SUCH POLL IS RELEASED TO THE GENERAL PUBLIC, SUCH CANDIDATE SHALL PROVIDE THE FOLLOWING INFORMATION CONCERNING THE POLL TO THE BOARD OR OFFICER WITH WHOM STATEMENTS OR COPIES OF STATEMENTS OF CAMPAIGN RECEIPTS AND EXPENDITURES ARE REQUIRED TO BE FILED BY THE CANDIDATE TO WHOM SUCH POLL RELATES:

(A) THE NAME OF THE PERSON, PARTY OR ORGANIZATION THAT CONTRACTED FOR OR COMMISSIONED THE POLL AND/OR PAID FOR IT.

(B) THE NAME AND ADDRESS OF THE ORGANIZATION THAT CONDUCTED THE POLL.

(C) THE NUMERICAL SIZE OF THE TOTAL POLL SAMPLE, THE GEOGRAPHIC AREA COVERED BY THE POLL AND ANY SPECIAL CHARACTERISTICS OF THE POPULATION INCLUDED IN THE POLL SAMPLE.

(D) THE EXACT WORDING OF THE QUESTIONS ASKED IN THE POLL AND THE SEQUENCE OF SUCH QUESTIONS.

(E) THE METHOD OF POLLING, WHETHER BY PERSONAL INTERVIEW, TELEPHONE, MAIL OR OTHER.

(F) THE TIME PERIOD DURING WHICH THE POLL WAS CONDUCTED.

(G) THE NUMBER OF PERSONS IN THE POLL SAMPLE.

2. STATEMENTS CONTAINING THE INFORMATION REQUIRED IN SUBDIVISION ONE OF THIS SECTION SHALL BE PRESERVED BY THE OFFICER WITH WHOM, OR THE BOARD WITH WHICH, IT IS REQUIRED TO BE FILED FOR A PERIOD OF ONE YEAR FROM THE DATE OF FILING THEREOF.

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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