

7387

2009-2010 Regular Sessions

I N A S S E M B L Y

April 2, 2009

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

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:

1 Section 1. Section 6-122 of the election law, as amended by chapter
2 511 of the laws of 1993, is amended to read as follows:
3 S 6-122. Designation or nomination; eligibility, restrictions.
4 1. A person shall not be designated or nominated for a public office
5 or party position who (1) is not a citizen of the state of New York; (2)
6 is ineligible to be elected to such office or position; or (3) who, if
7 elected will not at the time of commencement of the term of such office
8 or position, meet the constitutional or statutory qualifications thereof
9 or, with respect to judicial office, who will not meet such qualifications
10 within thirty days of the commencement of the term of such office.
11 2. FOR THE PURPOSES OF THIS SECTION, THE RESIDENCE ADDRESS OF A
12 PERSON, AT THE TIME OF FILING OF A DESIGNATING OR NOMINATING PETITION OR
13 A CERTIFICATE OF DESIGNATION, NOMINATION OR SUBSTITUTION AND NAMED AS A
14 CANDIDATE FOR PUBLIC OFFICE OR PARTY POSITION IN SUCH PETITION OR
15 CERTIFICATE, SHALL BE PRESUMED TO BE THE RESIDENCE ADDRESS OF SUCH
16 PERSON AT THE TIME OF COMMENCEMENT OF THE TERM OF SUCH OFFICE OR POSITION.
17
18 3. FOR THE PURPOSES OF THIS SECTION, IN THE EVENT A PERSON, WHO WAS
19 QUALIFIED PURSUANT TO SUBDIVISIONS ONE AND TWO OF THIS SECTION, CHANGES
20 HIS OR HER RESIDENCE SUBSEQUENT TO THE FILING OF A PETITION OR CERTIFICATE,
21 AS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION, THE NEW RESIDENCE
22 ADDRESS SHALL THEN BE PRESUMED TO BE THE RESIDENCE ADDRESS OF SUCH
23 PERSON AT THE TIME OF COMMENCEMENT OF THE TERM OF PUBLIC OFFICE OR PARTY
24 POSITION.
25 S 2. This act shall take effect on the first of December next succeeding
26 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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