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

8491--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 21, 2009

Introduced by M. of A. PERALTA, CASTRO -- Multi-Sponsored by -- M. of A. CAMARA -- read once and referred to the Committee on Election Law -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to creating a special primary election

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

Section 1. Section 6-114 of the election law is amended to read as follows:

S 6-114. Party nominations; special election. Party nominations for an office to be filled at a special election shall be made [in the manner prescribed by the rules of the party] AT A SPECIAL PRIMARY ELECTION PURSUANT TO SECTION 6-161 OF THIS ARTICLE, AT WHICH THE CANDIDATE RECEIVING THE MOST VOTES SHALL BE THE NOMINEE OF THE PARTY.

S 2. The election law is amended by adding a new section 6-161 to read as follows:

S 6-161. SPECIAL PRIMARY ELECTIONS. 1. THE SPECIAL PRIMARY ELECTION SHALL TAKE PLACE ON THE FIRST TUESDAY OCCURRING AT LEAST THIRTY DAYS BUT NO MORE THAN THIRTY-SIX DAYS PRIOR TO THE SPECIAL ELECTION.

2. DESIGNATING PETITIONS FOR A PRIMARY NOMINATION SHALL BE SUBJECTED TO THE SAME FORM AND RULES SET OUT IN SECTIONS 6-132 AND 6-134 OF THIS ARTICLE. DESIGNATING PETITIONS SHALL BE FILED WITHIN TWELVE DAYS OF THE DATE THE GOVERNOR PROCLAIMS THE NEED FOR A SPECIAL ELECTION.

S 3. This act shall take effect January 1, 2011.

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

LBD11790-03-0