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

8525

2009-2010 Regular Sessions

I N A S S E M B L Y

May 27, 2009

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

AN ACT to amend the election law, in relation to appointment of commissioners of election

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

Section 1. Subdivision 4 of section 3-204 of the election law, as amended by chapter 455 of the laws of 1984, is amended to read as follows:

4. Commissioners of election shall be appointed by the county legislative body, or in the city of New York, by the city council. Provided, however, that if a legislative body shall fail to appoint any person recommended by a party for appointment as a commissioner pursuant to this section, within thirty days after the filing of a certificate of recommendation with such legislative body, then the members of such legislative body who are members of the political party which filed such certificate may appoint such person. AND FURTHER PROVIDED, IF THERE ARE NO MEMBERS OF THE LEGISLATIVE BODY WHO ARE MEMBERS OF THE POLITICAL PARTY WHICH FILED SUCH CERTIFICATE, THE APPOINTMENT SHALL TAKE EFFECT UPON THE EXPIRATION OF THIRTY DAYS FROM THE DATE THAT THE CERTIFICATE WAS FILED. If none of the persons named in any of the certificates filed by a party are so appointed within sixty days after the filing of any such certificate, then such party may file another certificate within thirty days after the expiration of any such sixty day period recommending a different person for such appointment. If a party fails to file a certificate within the time prescribed by this section, the members of the legislative body who are members of such party may appoint any eligible person to such office.

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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