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

4889

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to the nomination and election of presidential electors

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

Section 1. Section 6-102 of the election law is amended to read as follows:

S 6-102. Party nominations; electors, presidential. 1. Party nominations of candidates for the office of elector of president and vice president of the United States, one for each congressional district and two at large, shall be made by the state committee. THE NOMINATIONS, MADE BY THE STATE COMMITTEE, FOR ELECTORS FOR EACH CONGRESSIONAL DISTRICT, SHALL SPECIFY THE CONGRESSIONAL DISTRICT FROM WHICH EACH SUCH ELECTOR SHALL BE ELECTED.

2. INDEPENDENT NOMINATIONS OF CANDIDATES FOR THE OFFICE OF ELECTOR OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, ONE FOR EACH CONGRESSIONAL DISTRICT AND TWO AT LARGE, SHALL BE MADE BY THE PETITION OF THE INDEPENDENT CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES. THE NOMINATIONS, MADE BY THE PETITION OF THE INDEPENDENT CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES, FOR ELECTORS FOR EACH CONGRESSIONAL DISTRICT SHALL SPECIFY THE CONGRESSIONAL DISTRICT FROM WHICH EACH SUCH ELECTOR SHALL BE ELECTED.

3. WRITE-IN CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES, SHALL NAME ONE ELECTOR FOR EACH CONGRESSIONAL DISTRICT AND TWO ELECTORS AT LARGE. THE WRITE-IN CANDIDATES FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES, WITH RESPECT TO THE ELECTORS NAMED FOR EACH CONGRESSIONAL DISTRICT, SHALL SPECIFY THE CONGRESSIONAL DISTRICT FROM WHICH EACH SUCH ELECTOR SHALL BE ELECTED. THE NAMES AND ADDRESSES OF THE ELECTORS' NAMED BY THE WRITE-IN CANDIDATE FOR THE OFFICE OF PRESIDENT OF

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

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THE UNITED STATES MUST BE FILED WITH THE STATE BOARD OF ELECTIONS AS PROVIDED FOR IN SECTION 6-153 OF THIS ARTICLE.

S 2. Section 12-100 of the election law, as amended by chapter 175 of the laws of 1988, is amended to read as follows:

S 12-100. Electors of president and vice president. At the general election in November preceding the time fixed by law of the United States for the choice of president and vice president of the United States, as many electors of president and vice president of the United States shall be elected, as this state shall be entitled to. Each vote cast for the candidates of any party or independent body for president and vice president of the United States and each vote cast for any write-in candidates for such offices shall be deemed to be cast for the candidates for elector of such party or independent body or the candidates for elector named in the certificate of candidacy of such write-in candidates. NOMINATIONS OF CANDIDATES FOR THE OFFICE OF ELECTOR FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES SHALL BE MADE PURSUANT TO SECTION 6-102 OF THIS CHAPTER. THE PRESIDENTIAL ELECTORS AT LARGE, NOMINATED BY THE PARTY, INDEPENDENT BODY OR WRITE-IN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES WHO RECEIVED THE HIGHEST NUMBER OF VOTES IN THE STATE OF NEW YORK, SHALL BE ELECTED PRESIDENTIAL ELECTORS AT LARGE. THE PRESIDENTIAL ELECTOR FOR A CONGRESSIONAL DISTRICT NOMINATED BY THE PARTY, INDEPENDENT BODY OR WRITE-IN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES IN SUCH CONGRESSIONAL DISTRICT, SHALL BE ELECTED THE PRESIDENTIAL ELECTOR FOR SUCH CONGRESSIONAL DISTRICT.

S 3. This act shall take effect immediately.