

5694

2009-2010 Regular Sessions

I N S E N A T E

May 28, 2009

Introduced by Sen. ADDABBO -- 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 appointment of election commissioners

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

1 Section 1. Subdivision 4 of section 3-204 of the election law, as
2 amended by chapter 455 of the laws of 1984, is amended to read as
3 follows:
4 4. Commissioners of election shall be appointed by the county legisla-
5 tive body, or in the city of New York, by the city council. Provided,
6 however, that if a legislative body shall fail to appoint any person
7 recommended by a party for appointment as a commissioner pursuant to
8 this section, within thirty days after the filing of a certificate of
9 recommendation with such legislative body, then the members of such
10 legislative body who are members of the political party which filed such
11 certificate may appoint such person. If none of the persons named in any
12 of the certificates filed by a party are so appointed within sixty days
13 after the filing of any such certificate, then such party may file
14 another certificate within thirty days after the expiration of any such
15 sixty day period recommending a different person for such appointment;
16 PROVIDED, FURTHER, THAT IF THE LEGISLATIVE BODY MEMBERSHIP DOES NOT
17 INCLUDE ANY MEMBERS OF THE PARTY THAT RECOMMENDED THE APPOINTMENT, AND
18 THE LEGISLATIVE BODY FAILS TO APPOINT THE RECOMMENDED COMMISSIONER WITH-
19 IN THIRTY DAYS AFTER THE FILING OF THE CERTIFICATE OF RECOMMENDATION,
20 THEN THE PARTY THAT RECOMMENDED SUCH COMMISSIONER MAY FILE ANOTHER
21 CERTIFICATE OF RECOMMENDATION FOR THAT COMMISSIONER AND HIS OR HER
22 APPOINTMENT SHALL BE EFFECTIVE ON THE DATE OF SUCH FILING. If a party
23 fails to file a certificate within the time prescribed by this section,
24 the members of the legislative body who are members of such party may
25 appoint any eligible person to such office.
26 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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