

7396

I N S E N A T E

April 7, 2010

Introduced by Sen. PERALTA -- 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 creating a special primary election

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

1 Section 1. Section 6-114 of the election law is amended to read as
2 follows:
3 S 6-114. Party nominations; special election. Party nominations for an
4 office to be filled at a special election shall be made [in the manner
5 prescribed by the rules of the party] AT A SPECIAL PRIMARY ELECTION
6 PURSUANT TO SECTION 6-161 OF THIS ARTICLE, AT WHICH THE CANDIDATE
7 RECEIVING THE MOST VOTES SHALL BE THE NOMINEE OF THE PARTY.
8 S 2. The election law is amended by adding a new section 6-161 to read
9 as follows:
10 S 6-161. SPECIAL PRIMARY ELECTIONS. 1. THE SPECIAL PRIMARY ELECTION
11 SHALL TAKE PLACE ON THE FIRST TUESDAY OCCURRING AT LEAST THIRTY DAYS BUT
12 NO MORE THAN THIRTY-SIX DAYS PRIOR TO THE SPECIAL ELECTION.
13 2. DESIGNATING PETITIONS FOR A PRIMARY NOMINATION SHALL BE SUBJECTED
14 TO THE SAME FORM AND RULES SET OUT IN SECTIONS 6-132 AND 6-134 OF THIS
15 ARTICLE. DESIGNATING PETITIONS SHALL BE FILED WITHIN TWELVE DAYS OF THE
16 DATE THE GOVERNOR PROCLAIMS THE NEED FOR A SPECIAL ELECTION.
17 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.

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