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

4161

2009-2010 Regular Sessions

I N A S S E M B L Y

January 30, 2009

Introduced by M. of A. CLARK, GALEF, SPANO -- Multi-Sponsored by -- M. of A. DINOWITZ -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to signature requirement on designating and nominating petitions

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

Section 1. Subdivisions 1 and 2 of section 6-136 of the election law, subdivision 1 as amended by chapter 200 of the laws of 1996, subdivision 2 as amended by chapter 79 of the laws of 1992, the opening paragraph of subdivision 2 as amended by chapter 659 of the laws of 1994 and paragraph (c-1) of subdivision 2 as amended by chapter 418 of the laws of 1993, are amended to read as follows:

1. Petitions for any office to be filled by the voters of the entire state must be signed by not less than [fifteen thousand or five] SEVEN THOUSAND FIVE HUNDRED OR TWO AND ONE-HALF per centum, whichever is less, of the then enrolled voters of the party in the state (excluding voters in inactive status), of whom not less than [one hundred or five] FIFTY OR TWO AND ONE-HALF per centum, whichever is less, of such enrolled voters shall reside in each of one-half of the congressional districts of the state.

2. All other petitions must be signed by not less than [five] TWO AND ONE-HALF per centum, as determined by the preceding enrollment, of the then enrolled voters of the party residing within the political unit in which the office or position is to be voted for (excluding voters in inactive status), provided, however, that for the following public offices the number of signatures need not exceed the following limits:

(a) For any office to be filled by all voters of the city of New York, [seven thousand five hundred] THREE THOUSAND SEVEN HUNDRED FIFTY signatures;

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

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(b) For any office to be filled by all the voters of any county or borough within the city of New York, [four] TWO thousand signatures;

(c) For any office to be filled in the city of New York by all the voters of any municipal court district, [one thousand five hundred] SEVEN HUNDRED FIFTY signatures;

(c-1) For any office to be filled in the city of New York by all the voters of any city council district, [nine hundred] FOUR HUNDRED FIFTY signatures;

(d) For any office to be filled by all the voters of cities or counties, except the city of New York and counties therein, containing more than two hundred fifty thousand inhabitants according to the last preceding federal enumeration, [two] ONE thousand signatures;

(e) For any office to be filled by all the voters of cities or counties containing more than twenty-five thousand and not more than two hundred fifty thousand inhabitants, according to the last preceding federal enumeration, [one thousand] FIVE HUNDRED signatures;

(f) For any office to be filled by all the voters of any other city or county, or of a councilmanic district in any city other than the city of New York, [five hundred] TWO HUNDRED FIFTY signatures;

(g) For any office to be filled by all the voters of any congressional district, [twelve hundred fifty] SIX HUNDRED FIFTY signatures;

(h) For any office to be filled by all the voters of any state senatorial district, [one thousand] FIVE HUNDRED signatures;

(i) For any office to be filled by all voters of any assembly district, [five hundred] TWO HUNDRED FIFTY signatures;

(j) For any office to be filled by all the voters of any political subdivision, except as herein otherwise provided, contained within another political subdivision, not to exceed the number of signatures required for the larger subdivision;

(k) For any other office to be filled by the voters of a political subdivision containing more than one assembly district, county or other political subdivision, not to exceed the aggregate of the signatures required for the subdivisions or parts of subdivisions so contained; and

(l) For any county legislative district, [five hundred] TWO HUNDRED FIFTY signatures.

S 2. Section 6-142 of the election law, as amended by chapter 79 of the laws of 1992 and paragraph (d-1) of subdivision 2 as amended by chapter 418 of the laws of 1993, is amended to read as follows:

S 6-142. Independent nominations; number of signatures. 1. An independent nominating petition for candidates to be voted for by all the voters of the state must be signed by at least [fifteen thousand] SEVEN THOUSAND FIVE HUNDRED voters, of whom at least [one hundred] FIFTY shall reside in each of one-half of the congressional districts of the State.

2. An independent nominating petition for the nomination of candidates for an office to be filled by the voters of any other political unit must be signed by voters numbering [five] TWO AND ONE-HALF per centum of the total number of votes cast for governor at the last gubernatorial election in such unit, excluding blank and void votes, except that not more than [three thousand five hundred] ONE THOUSAND SEVEN HUNDRED FIFTY signatures shall be required upon any such petition for any office to be filled in any political subdivision of the state wholly outside the city of New York, and not more than the following numbers of signatures shall be required upon any such petition for the following public offices respectively:

(a) for any office to be filled in any county or portion thereof outside the city of New York, [one thousand five hundred] SEVEN HUNDRED FIFTY;

(b) for any office to be filled by all the voters of the city of New York, [seven thousand five hundred] THREE THOUSAND SEVEN HUNDRED FIFTY;

(b-1) for any office to be filled by all the voters of any two counties in such city, [four] TWO thousand;

(c) for any office to be filled by all the voters of any county or borough in such city, [four] TWO thousand;

(d) for any office to be filled by all the voters of any municipal court district, [three thousand] ONE THOUSAND FIVE HUNDRED signatures;

(d-1) for any office to be filled in the city of New York by all the voters of any city council district, [two thousand seven hundred] ONE THOUSAND THREE HUNDRED FIFTY;

(e) for any office to be filled by all the voters of any congressional district, [three thousand five hundred] ONE THOUSAND SEVEN HUNDRED FIFTY;

(f) for any office to be filled by all the voters of any state senatorial district, [three thousand] ONE THOUSAND FIVE HUNDRED;

(g) for any office to be filled by all the voters of an assembly district, [one thousand five hundred] SEVEN HUNDRED FIFTY;

(h) for the office of trustee of the Long Island Power Authority, [five hundred] TWO HUNDRED FIFTY;

(i) for any office to be filled by the voters of any political subdivision contained within another political subdivision except as herein otherwise provided, not to exceed the number of signatures required for the larger subdivision.

S 3. This act shall take effect on the first of December next succeeding the date on which it shall have become a law.