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

7372

2009-2010 Regular Sessions

I N A S S E M B L Y

March 31, 2009

Introduced by M. of A. BARRON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to extending the deadline for calling special elections to fill vacancies in the offices of state senator and member of assembly

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

Section 1. Subdivision 4 of section 42 of the public officers law, as amended by chapter 317 of the laws of 1954, is amended to read as follows:

4. A special election shall not be held to fill a vacancy in the office of a representative in congress unless such vacancy occurs on or before the first day of July of the last year of the term of office, or unless it occurs thereafter and a special session of congress is called to meet before the next general election, or be called after September nineteenth of such year; nor to fill a vacancy in the office of state senator or in the office of member of assembly, unless the vacancy occurs ON OR before the first day of [April] JUNE of the last year of the term of office, or unless the vacancy occurs in either such office of senator or member of assembly after such first day of [April] JUNE and a special session of the legislature be called to meet between such first day of [April] JUNE and the next general election or be called after September nineteenth in such year. If a special election to fill an office shall not be held as required by law, the [office] VACANCY shall be filled at the next general election.

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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