

8491

2009-2010 Regular Sessions

I N A S S E M B L Y

May 21, 2009

Introduced by M. of A. PERALTA -- read once and referred to the Committee on Election Law

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 on the first of January next succeed-
18 ing the date on which it shall have become a law.

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

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