

1434--A

Cal. No. 208

2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. DILAN, DIAZ, HASSELL-THOMPSON, C. JOHNSON, KRUEGER, MONTGOMERY, ONORATO, OPPENHEIMER, PARKER, SAMPSON, SCHNEIDERMAN, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the election law, in relation to prohibiting election commissioners and deputy elections commissioners from holding a publicly elected office

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

- 1 Section 1. Subdivision 4 of section 3-200 of the election law, as
2 amended by chapter 195 of the laws of 2003, is amended to read as
3 follows:
4 4. No person [shall be] appointed as election commissioner or DEPUTY
5 ELECTION COMMISSIONER SHALL continue to hold office who is not a regis-
6 tered voter in the county and not an enrolled member of the party recom-
7 mending his OR HER appointment, OR WHO IS THE CHAIR OF THE RESPECTIVE
8 DEMOCRATIC OR REPUBLICAN PARTY OR COMMITTEE IN SUCH COUNTY or who holds
9 any other public office, except that of commissioner of deeds, notary
10 public, [village officer, city or town justice,] member of a community
11 board within the city of New York or trustee or officer of a school
12 district outside of a city.
13 S 2. Subdivision 6 of section 3-200 of the election law is amended to
14 read as follows:
15 6. An election commissioner OR DEPUTY ELECTION COMMISSIONER shall not
16 be a candidate for any elective office which he OR SHE would not be
17 entitled to hold under the provisions of this article, unless he OR SHE
18 has ceased by resignation or otherwise, to be commissioner OR DEPUTY
19 COMMISSIONER prior to his OR HER nomination or designation therefor.
20 Otherwise such nomination or designation shall be null and void.
21 S 3. 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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