

1585

2009-2010 Regular Sessions

I N S E N A T E

February 3, 2009

Introduced by Sen. KRUGER -- 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 party nominations at special elections and elections to fill a vacancy

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
4 an office to be filled at a special election shall be made BY A MAJORITY
5 VOTE OF A QUORUM OF THE MEMBERS OF THE COUNTY COMMITTEE LAST ELECTED IN
6 THE POLITICAL SUBDIVISION IN WHICH SUCH SPECIAL ELECTION IS TO BE HELD
7 OR, IF SUCH OFFICE IS TO BE FILLED IN A DISTRICT CONTAINING ALL OR PART
8 OF TWO OR MORE COUNTIES OUTSIDE THE CITY OF NEW YORK OR IN A DISTRICT
9 PARTLY WITHIN AND PARTLY WITHOUT SUCH CITY, OR IF SUCH OFFICE IS TO BE
10 ELECTED BY ALL THE VOTERS OF A COUNTY HAVING A POPULATION OF OVER SEVEN
11 HUNDRED FIFTY THOUSAND, SUCH NOMINATION MAY BE MADE in the manner
12 prescribed by the rules of the party.
13 S 2. Section 6-116 of the election law, as amended by chapter 373 of
14 the laws of 1978, is amended to read as follows:
15 S 6-116. Party nominations; election to fill a vacancy. A party
16 nomination of a candidate for election to fill a vacancy in an elective
17 office required to be filled at the next general election, occurring
18 after seven days before the last day for circulating designating
19 petitions or after the holding of the meeting or convention to nominate
20 or designate candidates for such, shall be made, after the day of the
21 primary election, by a majority vote of a quorum of the state committee
22 if the vacancy occurs in an office to be filled by all voters of the
23 state, and otherwise by a majority vote of a quorum of the members of a
24 county committee or committees last elected in the political subdivision
25 in which such vacancy is to be filled, or, IF SUCH OFFICE IS TO BE

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

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1 FILLED IN A DISTRICT CONTAINING ALL OR PART OF TWO OR MORE COUNTIES
2 OUTSIDE THE CITY OF NEW YORK OR IN A DISTRICT PARTLY WITHIN AND PARTLY
3 WITHOUT SUCH CITY OR IF SUCH OFFICE IS TO BE ELECTED BY ALL THE VOTERS
4 OF SUCH CITY OR ALL THE VOTERS OF A COUNTY HAVING A POPULATION OF OVER
5 SEVEN HUNDRED FIFTY THOUSAND, by a majority VOTE OF A QUORUM OF THE
6 MEMBERS of such other committee as the rules of the party may provide.
7 A certificate of nomination shall be filed as provided for herein.
8 S 3. This act shall take effect on the first of December next succeed-
9 ing the date on which it shall have become a law.