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

5989

2011-2012 Regular Sessions

I N A S S E M B L Y

March 3, 2011

Introduced by M. of A. BURLING, CALHOUN, FINCH, STEVENSON -- Multi-Sponsored by -- M. of A. BARCLAY, CONTE, DUPREY, GIGLIO, HAWLEY, KOLB, J. MILLER, MONTESANO, OAKS, RAIA, SAYWARD, SPANO, THIELE -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to commencement of proceedings relating to the names of candidates on ballots or voting machines

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

Section 1. Subdivision 4 of section 16-102 of the election law, as added by chapter 135 of the laws of 1986, is amended to read as follows:

4. A final order in any proceeding involving the names of candidates on ballots or voting machines shall be made, if possible, at least five weeks before the day of the election at which such ballots or voting machines are to be used, or if such proceeding is commenced within five weeks of such election, no later than the day following the day on which the case is heard. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, SUCH A PROCEEDING SHALL NOT BE HEARD LESS THAN FIFTEEN DAYS BEFORE THE DAY OF THE ELECTION AT WHICH SUCH BALLOTS OR VOTING MACHINES ARE TO BE USED.

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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