

7454

2011-2012 Regular Sessions

I N   A S S E M B L Y

May 4, 2011

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

AN ACT to amend the election law, in relation to the canvassing of primary returns by the board of elections

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

1     Section 1. Subdivision 2 of section 9-200 of the election law, as  
2 amended by chapter 29 of the laws of 1983, is amended to read as  
3 follows:  
4     2. The board forthwith upon the completion of the canvass for members  
5 of a state committee and delegates and alternates to a national, state  
6 or judicial district convention, shall transmit to the state board of  
7 elections a certificate stating the name and residence of each member of  
8 a state committee and delegate and alternate elected from a district  
9 wholly within the jurisdiction of such board, except that, in respect to  
10 a judicial district convention in the first, second, eleventh [and],  
11 twelfth AND THIRTEENTH judicial districts, the board of elections,  
12 instead of transmitting such certificate, shall compile the roll of the  
13 convention and transmit it to the chairman or secretary of the committee  
14 which, by party rules, is empowered to fix the time and place of the  
15 convention. The board of elections shall send by mail to each delegate  
16 and alternate elected a notice of his election. The certificate or roll  
17 of the convention shall list the delegates and alternates elected at a  
18 primary in the order of the votes received by each delegate or alter-  
19 nate, with the delegate or alternate receiving the highest number of  
20 votes listed first. Tie votes shall be indicated in a manner prescribed  
21 by the state board of elections. If there shall have been no contested  
22 election for alternates, the names of the alternates shall appear on the  
23 certificate or roll in the order in which their names appeared on the  
24 petition which designated them.

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

LBD11382-01-1

1 S 2. Section 9-202 of the election law, as amended by chapter 218 of  
2 the laws of 1992, is amended to read as follows:

3 S 9-202. Canvass of primary returns by state board of elections;  
4 convention rolls. The state board of elections upon receipt by it from  
5 boards of elections of the tabulated statements of votes at a primary  
6 election required to be filed with it shall proceed forthwith to canvass  
7 such statements. Upon the completion of the canvass it shall make,  
8 certify and file in its office tabulated statements of the number of  
9 votes cast for all the candidates for nomination to each public office  
10 or for election to each party position, and the number of votes cast for  
11 each such candidate. The candidate receiving the highest number of votes  
12 shall be the nominee of his party for such office or shall be elected to  
13 such party position, as the case may be, and the board, if requested,  
14 shall furnish to the elected candidates a certificate of election. From  
15 such certified statements of the votes for delegates and alternates  
16 elected to a state or judicial district convention of any party, other  
17 than a judicial district convention in the first, second, eleventh  
18 [and], twelfth AND THIRTEENTH judicial districts, the state board shall  
19 forthwith compile the roll of each such convention in duplicate and  
20 transmit it, if for a state convention, to the chairman and secretary of  
21 the state committee of the party, and if for a judicial district conven-  
22 tion, to the chairman and secretary of the committee which, by party  
23 rules, is empowered to fix the time and place of the convention. The  
24 roll of the convention shall list the candidates elected at a primary in  
25 the order of the votes received by each candidate together with the  
26 number of votes received by each such candidate. If there shall have  
27 been no contested election for alternates, the names of the alternates  
28 shall appear on the roll in the order in which their names appear on the  
29 petition which designated them. The state board of elections shall tran-  
30 smit copies of the certified statements of the votes for delegates and  
31 alternates to a national convention of a party to the chairman and  
32 secretary of the state committee of such party.

33 S 3. This act shall take effect immediately.