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

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I N A S S E M B L Y

March 29, 2012

Introduced by M. of A. WRIGHT, DenDEKKER, LAVINE, PERRY, CASTRO, ROBERTS, P. RIVERA, RAIA, AUBRY, O'DONNELL, WEPRIN, BARRON, CLARK, BOYLAND, COOK, LINARES -- Multi-Sponsored by -- M. of A. CONTE, FARRELL, MAGEE, ROBINSON, SKARTADOS -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to prohibiting any county, city, town or village from enacting a local law, ordinance or regulation prohibiting or restricting posting of election material

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

Section 1. Article 8 of the election law is amended by adding a new title 6 to read as follows:

TITLE VI

POSTING

SECTION 8-600. POSTING RESTRICTIONS PROHIBITED.

S 8-600. POSTING RESTRICTIONS PROHIBITED. NO COUNTY, CITY, TOWN OR VILLAGE SHALL ENACT A LOCAL LAW, ORDINANCE OR REGULATION PROHIBITING OR RESTRICTING THE POSTING OF ANY HANDBILL, POSTER, NOTICE, SIGN, ADVERTISEMENT, STICKER OR ANY OTHER PRINTED MATERIAL PERTAINING TO ANY PRIMARY, GENERAL SPECIAL ELECTION, UPON ANY CURB, GUTTER, FLAGSTONE, TREE, LAMPPOST, AWNING POST, TELEGRAPH POLE, TELEPHONE POLE, PUBLIC UTILITY POLE, PUBLIC GARBAGE BIN, BUS SHELTER, BRIDGE, ELEVATED TRAIN STRUCTURE, HIGHWAY FENCE, BARREL, BOX, TRAFFIC STANCHION, TRAFFIC SIGN POLE, TREE BOX, TREE PIT PROTECTION DEVICE, BENCH, TRAFFIC BARRIER, HYDRANT OR PUBLIC PAY TELEPHONE ON ANY STREET FOR A PERIOD OF FORTY-EIGHT HOURS BEFORE AND FORTY-EIGHT HOURS AFTER ANY PRIMARY, SPECIAL OR GENERAL ELECTION, PROVIDED, HOWEVER, THAT SUCH HANDBILL, POSTER, NOTICE, SIGN, ADVERTISEMENT, STICKER OR ANY OTHER PRINTED MATERIAL MUST BE REMOVED WITHIN THE FORTY-EIGHT HOURS AFTER SUCH ELECTION.

S 2. This act shall take effect on the sixtieth day after 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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