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

1698

2011-2012 Regular Sessions

I N A S S E M B L Y

January 11, 2011

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

AN ACT to amend the public officers law, in relation to vacancies occurring in the office of United States senator and to repeal subdivision 4-a of section 42 of the public officers law relating thereto

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

Section 1. Subdivision 4-a of section 42 of the public officers law is REPEALED and a new subdivision 4-a is added to read as follows:

4-A. IF A VACANCY OCCURS IN THE OFFICE OF UNITED STATES SENATOR FROM THIS STATE, THE GOVERNOR SHALL ORDER A SPECIAL ELECTION TO FILL THE VACANCY FOR THE UNEXPIRED TERM. WITHIN TEN DAYS AFTER THE OCCURRENCE OF SUCH VACANCY, THE GOVERNOR SHALL ISSUE A WRIT OF ELECTION FIXING A DATE FOR THE SPECIAL ELECTION NOT LESS THAN SIXTY DAYS NOR MORE THAN NINETY DAYS AFTER SUCH OCCURRENCE. IF THE VACANCY OCCURS LESS THAN ONE HUNDRED DAYS BEFORE EITHER THE ANNUAL PRIMARY ELECTION DATE OR THE ANNUAL GENERAL ELECTION DATE THEN THE SPECIAL ELECTION TO FILL SUCH VACANCY SHALL BE HELD IN CONCERT WITH THE PRIMARY OR GENERAL ELECTION FOR THAT YEAR.

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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