8650

2011-2012 Regular Sessions

IN ASSEMBLY

October 14, 2011

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

AN ACT to amend the election law, in relation to requirements of witnesses to a designating petition or independent nominating petition

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

Section 1. Subdivisions 2 and 3 of section 6-132 of the election law, as amended by chapter 447 of the laws of 2006, are amended to read as follows:

3

5

7

8

10

11 12

13

14

15

16

17

18 19

20

2. There shall be appended at the bottom of each sheet a signed statement of a witness who is a duly qualified voter of the state and an enrolled voter of the same political party as the voters qualified to sign the petition[, and who is also a resident of the political subdivision in which the office or position is to be voted for. However, in the case of a petition for election to the party position of member of the county committee, residence in the same county shall be sufficient]. Such a statement shall be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall subject the person signing it to the same penalties as if he or she had been duly sworn. The form of such statement shall be substantially as follows:

STATEMENT OF WITNESS

- Each of the individuals whose names are subscribed to this petition 22 sheet containing............ (fill in number) signatures, 23 subscribed the same in my presence on the dates above indicated and 24 identified himself or herself to be the individual who signed this 25 sheet.

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

LBD13384-01-1

A. 8650 2

1 2 3 4 5 6	I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn. Date:
7 8 9	Witness identification information: The following information must be completed prior to filing with the board of elections in order for this petition sheet to be valid.
10 11 12 13 14	Town or City County 3. In lieu of the signed statement of a witness who is a duly qualified voter of the state [qualified to sign the petition], the following statement signed by a notary public or commissioner of deeds shall be
15 16 17 18 19 20 21 22	accepted: On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true. Date:
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	(Signature and official title of officer administering oath) S 2. Subdivision 2 of section 6-140 of the election law, as amended by chapter 447 of the laws of 2006, is amended to read as follows: 2. In lieu of the signed statement of a witness who is a duly qualified voter of the state [qualified to sign the petition], the following statement signed by a notary public or commissioner of deeds shall be aggented:
	accepted: On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true. Date:
38 39 40 41 42 43 44	(Signature and official title of officer administering oath) S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized to be made on or before such date.