

2056

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to providing means whereby a voter may express no confidence in certain candidates for public office

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

1 Section 1. Subdivision 5 of section 7-106 of the election law is
2 amended by adding a new paragraph 3-a to read as follows:
3 (3-A) TO EXPRESS NO CONFIDENCE IN ALL OF THE CANDIDATES FOR MEMBER OF
4 THE LEGISLATURE, UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS,
5 PRESIDENT OF THE UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES,
6 MARK A CROSS X OR A CHECK MARK IN THE VOTING SQUARE ABOVE THE PHRASE "NO
7 CONFIDENCE" ONLY IF YOU HAVE NOT VOTED FOR ANY CANDIDATE FOR THE OFFICE.
8 S 2. Subdivision 7 of section 7-106 of the election law, as amended by
9 chapter 165 of the laws of 2010, is amended to read as follows:
10 7. Each such ballot shall be printed in sections in which the candi-
11 dates' names and political designations, the ballot proposals and other
12 requisite matter shall each be boxed in by heavy black perpendicular
13 lines of equal width. In each such section shall be voting ovals or
14 squares which voters may fill in. If applicable, ovals or squares shall
15 be provided next to the blank spaces provided for a voter to write in a
16 name. ON THE BALLOT FOR MEMBER OF THE LEGISLATURE, UNITED STATES
17 SENATOR, REPRESENTATIVE IN CONGRESS, PRESIDENT OF THE UNITED STATES OR
18 VICE PRESIDENT OF THE UNITED STATES, SHALL BE A VOTING SQUARE TO EXPRESS
19 NO CONFIDENCE IN ALL OF THE CANDIDATES.
20 S 3. Paragraph (g) of subdivision 2 of section 7-114 of the election
21 law is amended to read as follows:
22 (g) Spaces containing names of candidates and for writing in names,
23 SPACES FOR EXPRESSING NO CONFIDENCE IN ALL OF THE CANDIDATES FOR MEMBER
24 OF THE LEGISLATURE, UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS,

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

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1 PRESIDENT OF THE UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES,
2 and intervening spaces on the paper ballot, shall be separated by light
3 horizontal lines. Names of candidates shall be printed in capital
4 letters not less than one-eighth nor more than three-sixteenths of an
5 inch in height.

6 S 4. The election law is amended by adding a new section 7-132 to read
7 as follows:

8 S 7-132. ELECTION RESULTS; CERTAIN INFORMATION TO BE REVEALED.
9 NOTWITHSTANDING ANY OTHER PROVISION OF GENERAL OR SPECIAL LAW TO THE
10 CONTRARY, ONLY VOTES CAST FOR THE NAMED CANDIDATES FOR MEMBER OF THE
11 LEGISLATURE, UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS, PRESI-
12 DENT OF THE UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES, SHALL
13 BE COUNTED IN DETERMINING NOMINATION OR ELECTION TO ANY STATEWIDE OR
14 FEDERAL OFFICE, PROVIDED, HOWEVER, THE NUMBER OF BALLOTS ON WHICH THE
15 SQUARE EXPRESSING NO CONFIDENCE IN ALL CANDIDATES FOR MEMBER OF THE
16 LEGISLATURE, UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS, PRESI-
17 DENT OF THE UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES, WAS
18 CHOSEN AND THE NUMBER OF THEIR VOTES SHALL BE LISTED FOLLOWING THE NAMES
19 OF THE CANDIDATES FOR EACH OFFICE IN EVERY POSTING, PROCLAMATION OR
20 ABSTRACT OF THE RESULTS OF THE ELECTION.

21 S 5. Paragraph (d) of subdivision 1 of section 7-122 of the election
22 law is amended by adding a new subparagraph 3-a to read as follows:

23 3-A. TO EXPRESS NO CONFIDENCE IN ALL OF THE CANDIDATES FOR MEMBER OF
24 THE LEGISLATURE, UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS,
25 PRESIDENT OF THE UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES,
26 MAKE A CROSS X OR A CHECK MARK IN THE VOTING SQUARE ABOVE THE PHRASE "NO
27 CONFIDENCE" ONLY IF YOU HAVE NOT VOTED FOR ANY CANDIDATE FOR THE OFFICE.

28 S 6. Section 7-202 of the election law is amended by adding a new
29 subdivision 5 to read as follows:

30 5. VOTING MACHINES SHALL INCLUDE A DEVICE WHEREBY A VOTER MAY EXPRESS
31 NO CONFIDENCE IN ALL OF THE CANDIDATES FOR MEMBER OF THE LEGISLATURE,
32 UNITED STATES SENATOR, REPRESENTATIVE IN CONGRESS, PRESIDENT OF THE
33 UNITED STATES OR VICE PRESIDENT OF THE UNITED STATES.

34 S 7. This act shall take effect on the first of January next succeed-
35 ing the date on which it shall have become a law.