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

4139--A

2011-2012 Regular Sessions

I N S E N A T E

March 21, 2011

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to determinations by county canvassing boards and publication of lists of nominations

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 9-212 of the election law, as amended by chapter 635 of the laws of 1990, are amended to read as follows:

2. All such determinations shall be in writing and signed by the members of the canvassing board or a majority of them and filed and recorded in the office of the board of elections, THE BOARD OF ELECTIONS SHALL CAUSE A COPY OF SUCH DETERMINATIONS, AND OF THE STATEMENTS FILED IN ITS OFFICE UPON WHICH SUCH DETERMINATIONS WERE BASED, TO BE CONSPICUOUSLY POSTED ON ITS WEBSITE. THE STATEMENT OF CANVASS TO BE POSTED, HOWEVER, SHALL NOT GIVE THE VOTE BY ELECTION DISTRICTS BUT SHALL CONTAIN ONLY THE TOTAL VOTE FOR A PERSON, OR THE TOTAL VOTE FOR AND THE TOTAL VOTE AGAINST A BALLOT PROPOSAL, CAST WITHIN THE COUNTY, OR WITHIN THE PORTION THEREOF, IF ANY, IN WHICH AN OFFICE IS FILLED OR BALLOT PROPOSAL IS DECIDED BY THE VOTERS IF THE CANVASS OF THE VOTE THEREON DEVOLVES UPON THE COUNTY BOARD OF CANVASSERS. [Except in the city of New York and in the counties of Nassau, Orange and Westchester, the board of elections shall cause a copy of such determinations, and of the statements filed in its office upon which such determinations were based, to be published once in each of the newspapers designated to publish election notices and the official canvass. The statement of canvass to be published, however, shall not give the vote by election districts but shall contain only the total vote for a person, or the total vote for and the total vote against a ballot proposal, cast within the county, or

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

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within the portion thereof, if any, in which an office is filled or ballot proposal is decided by the voters if the canvass of the vote thereon devolves upon the county board of canvassers.] Such totals shall be expressed in arabic numerals.

3. The board of elections shall prepare and forthwith transmit to each person determined by the canvassing board to have been elected a certified statement, naming the office to which such canvassing board has declared him OR HER elected.

S 2. Subdivisions 1 and 3 of section 4-122 of the election law, as amended by chapter 359 of the laws of 1989, are amended to read as follows:

1. The county board of elections shall publish, AND CONSPICUOUSLY POST ON ITS WEBSITE, at least six days before an election, a list containing the name [and residence] of every candidate for public office to be voted for within its jurisdiction at such election.

3. [The] IN ADDITION TO BEING CONSPICUOUSLY POSTED ON THE BOARD OF ELECTIONS WEBSITE, THE list described in subdivision one of this section shall be published at least once in [not less than two nor more than four newspapers] A NEWSPAPER OF GENERAL CIRCULATION in the county. In a county containing a city, [at least one] such publication shall be in a daily newspaper published in a city therein, if there be such a newspaper. In the case of a village election held at a time other than the time of a general election, such publication shall be in a newspaper having general circulation in such village. [So far as is consistent with this section, one such newspaper shall represent each of the major political parties.] Should the board of elections find it impossible to make such publication six days before election it shall make it at the earliest possible day thereafter before the election.

S 3. This act shall take effect immediately.