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

3393

2013-2014 Regular Sessions

I N A S S E M B L Y

January 25, 2013

Introduced by M. of A. RABBITT, McDONOUGH, HAWLEY -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to authorizing the treasurer of a political committee to freeze funds upon indictment of a state or local public official

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

Section 1. Section 14-118 of the election law is amended by adding a new subdivision 4 to read as follows:

4. UPON THE INDICTMENT OF A STATE OR LOCAL PUBLIC OFFICIAL AND PENDING A DISPOSITION OR A RESOLUTION BY ADJUDICATION, THE TREASURER SHALL FREEZE ALL FUNDS LOCATED IN THE ACCOUNT OR ACCOUNTS OF THE CANDIDATE OR COMMITTEE IN THE DESIGNATED DEPOSITORY. IF SUCH PUBLIC OFFICIAL IS CONVICTED AND CONSEQUENTLY REMOVED FROM PUBLIC OFFICE, SUCH FUNDS SHALL BE REFUNDED TO ALL KNOWN DONORS. ANY REMAINING FUNDS SHALL BE RELEASED TO THE APPROPRIATE COUNTY BOARD OF ELECTIONS FOR THE PURPOSE OF OFFSETTING THE COST OF A SPECIAL ELECTION, TO BE HELD FOR THE PURPOSE OF ELECTING A SUCCESSOR FOR THE VACANT POSITION. IF A PUBLIC OFFICIAL IS ACQUITTED OF ALL CHARGES OR SUCH CHARGES ARE DISMISSED, THE TREASURER SHALL REMOVE THE FREEZE ON SUCH FUNDS AND SHALL RELEASE SUCH FUNDS TO THE COMMITTEE.

S 2. This act shall take effect immediately.

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

LBD05426-01-3