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

S. 3826 A. 5182

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

February 21, 2013

IN SENATE -- Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

IN ASSEMBLY -- Introduced by M. of A. FAHY, McDONALD -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to petitions for the office of board of education of the city school district of the city of Albany

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

Section 1. Paragraph e of subdivision 9 of section 2502 of the education law, as added by chapter 65 of the laws of 1972, is amended to read as follows:

e. Petitions for the nomination of members of such school board shall be on white paper containing the required signatures of qualified voters of the city of Albany [who were registered to vote therein at the last preceding general election]. The sheets of such a petition shall be numbered consecutively, beginning with number one, at the foot of each sheet. Such a petition must set forth in every instance the correct date of signing, the full name of the signer[,] AND his [present] OR HER residence[, the residence from which he was registered at the time of the last preceding general election, the ward of such residence at such time, the election district thereof at such time. A signer need not himself fill in the date, residence or residences, ward or election district. The election district of the signer to be filled in the petition shall be the election district in effect at the time of the last preceding general election. If the residence from which the signer was registered at the time of the last preceding general election is the same as his present residence, the word "same" may be written, instead of repeating the place of residence]. A SIGNER NEED ONLY PLACE HIS OR

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

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HER SIGNATURE UPON THE PETITION, AND NEED NOT HIMSELF OR HERSELF FILL IN THE OTHER REQUIRED INFORMATION.

S 2. Paragraph f of subdivision 9 of section 2502 of the education law, as added by chapter 65 of the laws of 1972, is amended to read as follows:

f. Each sheet of such a petition shall be signed in ink and shall be substantially in the following form:

I, the undersigned, do hereby state that I am a duly qualified voter of the city of Albany, [that I was registered to vote therein at the time of the last preceding general election,] that my [present] place of residence [and my place of residence at the time of the last preceding general election are] IS truly stated opposite my signature hereto, [I intend to support at the ensuing election,] and I do hereby nominate the following named person as a candidate for nomination for the public office of member of the board of education of the city of Albany to be voted for at the election to be held on the..... day of.....,[19] 20.....

In witness whereof, I have hereunto set my hand the day and year placed opposite my signature.

| Date | Name of Signer (SIGNATURE REQUIRED) (PRINTED NAME MAY BE ADDED) | [Present] Residence |
|---|---|---|
| ..... | ..... | ..... |
| ..... | ..... | ..... |
| ..... | ..... | ..... |

[At the Time of the Last Preceding General Election

| Residence | Ward | Election District |
|---|---|---|
| ..... | ..... | ..... |
| ..... | ..... | ..... |
| ..... | ..... | .....] |

S 3. Paragraph g of subdivision 9 of section 2502 of the education law, as added by chapter 65 of the laws of 1972, is amended to read as follows:

g. The petition shall be authenticated by witnesses. Such statement shall be accepted for all purposes as the equivalent of an affidavit, and if false shall subject the witness 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

I,..... (name of witness), state: I am a duly qualified voter of the state of New York, and now reside [in the city, town or village of ....., in such state,] at ..... [(fill in street and house number and post office) therein] (RESIDENCE ADDRESS). [I was last registered for the general election in the year ..... from ..... (fill in city, town or village) in the county of ....., in such state. The said residence was then in the ..... (fill in number) election district of the ..... (fill in ward in a

city, or town, if outside a city). I know each of the voters whose names are subscribed to this petition sheet containing (fill in number) ..... signatures and each of them subscribed the same in my presence and upon so subscribing declared to me that the foregoing statement, made and subscribed by him, was true.]

EACH OF THE INDIVIDUALS WHOSE NAMES ARE SUBSCRIBED TO THIS PETITION SHEET CONTAINING ..... (FILL IN NUMBER) SIGNATURES, SUBSCRIBED THE SAME IN MY PRESENCE ON THE DATE ABOVE INDICATED AND IDENTIFIED HIMSELF OR HERSELF TO BE THE INDIVIDUAL WHO SIGNED THIS SHEET.

.....
Signature of witness

Date.....

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to elections occurring on or after such date.