

4669

2013-2014 Regular Sessions

I N S E N A T E

April 17, 2013

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

AN ACT to amend the election law and the town law, in relation to elections; and to repeal section 6-200 of the election law relating to village elections

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

1 Section 1. Subdivision 1 of section 6-202 of the election law, as
2 added by chapter 359 of the laws of 1989, is amended to read as follows:
3 1. Party nominations of candidates for village offices in any county
4 shall be made at a party caucus or at a primary election, as the rules
5 of the county committee, heretofore or hereafter adopted consistent with
6 the provisions of this chapter shall provide. If the rules of the county
7 committee of any political party provide that party nominations for
8 village offices of that party in any or all villages in the county shall
9 be made at a village primary election, such primary election shall be
10 held [forty-nine days prior to the date of the village election] THE
11 FIRST TUESDAY AFTER THE SECOND MONDAY IN SEPTEMBER BEFORE EVERY GENERAL
12 ELECTION IN AN EVEN-NUMBERED YEAR UNLESS OTHERWISE CHANGED BY AN ACT OF
13 THE LEGISLATURE. In the event there is no village committee with a
14 chairman, the chairman of the county committee, or such other person or
15 body as the rules of such committee may provide, shall designate an
16 enrolled member of the party who is a qualified voter of the village as
17 the village election chairman. The chairman of the county committee of
18 each party in which nominations in any village are made at a primary
19 election shall file with the board of elections, at least one week
20 before the first day to file designating petitions for such primary
21 elections, a list of the name and address of the chairman of the village
22 committee or the village election chairman in each such village. Such
23 village chairman shall have general party responsibility for the conduct
24 of the village caucus or primary election. Such nominations shall be

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

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1 made not more than fifty-six, nor less than forty-nine days prior to the
2 date of the village election.

3 S 2. Paragraphs a and b of subdivision 1 of section 15-104 of the
4 election law, paragraph a as amended by chapter 248 of the laws of 1983
5 and paragraph b as amended by chapter 565 of the laws of 1998, are
6 amended to read as follows:

7 a. The general village election shall be held on the [third Tuesday in
8 March except in any village which presently elects, or hereafter adopts
9 a proposition to elect, its officers on a date other than the third
10 Tuesday in March] TUESDAY NEXT SUCCEEDING THE FIRST MONDAY IN NOVEMBER
11 IN AN EVEN-NUMBERED YEAR.

12 [b. In any village in which the general village election, or a special
13 village election for officers pursuant to this chapter, is scheduled to
14 be held on the third Tuesday of March, for any year in which the seven-
15 teenth day of March shall fall on such Tuesday, the board of trustees of
16 such village shall provide, by the resolution prescribed by paragraph b
17 of subdivision three of this section, that such election shall be held
18 on the eighteenth day of March. Any provision of a resolution adopted
19 pursuant to this subdivision shall not otherwise alter the political
20 calendar for any such election, which shall continue to be computed from
21 the third Tuesday of March. Notwithstanding the provisions of subdivi-
22 sion five of this section, any provision of a resolution adopted pursu-
23 ant to this subdivision shall be effective only if such provision is
24 specifically published as provided by this section.]

25 S 3. Section 6-200 of the election law is REPEALED.

26 S 4. Section 80 of the town law, is amended to read as follows:

27 S 80. Biennial town elections. [Except as otherwise provided in this
28 chapter, a] A biennial town election for the election of town officers
29 and for the consideration of such questions as may be proposed by the
30 town board or the duly qualified electors, pursuant to the provisions of
31 this chapter, shall be held on the Tuesday next succeeding the first
32 Monday in November of every [odd-numbered] EVEN-NUMBERED year. All other
33 town elections are special elections. A town election or special town
34 election held pursuant to this chapter, shall be construed as a substi-
35 tute, for a town meeting or a special town meeting heretofore provided
36 to be held by law, and a reference in any law to a town meeting or
37 special town meeting shall be construed as referring to a town election
38 or special town election.

39 S 5. Notwithstanding any inconsistent provision of law or of any other
40 general, special or local law, all elections of any position of a county
41 elected official, town elected official, village elected official or
42 elected official of the city of New York shall occur on the Tuesday next
43 succeeding the first Monday in November. All such elections shall occur
44 in an even-numbered year.

45 S 6. This act shall take effect at the first general election in an
46 even-numbered year next succeeding the date on which it shall have
47 become a law; provided, however, that effective immediately, the addi-
48 tion, amendment and/or repeal of any rule or regulation necessary for
49 the implementation of this act on its effective date are authorized and
50 directed to be made and completed on or before such effective date.