1464

2013-2014 Regular Sessions

IN ASSEMBLY

(PREFILED)

January 9, 2013

- Introduced by M. of A. ABINANTI, PAULIN, BRAUNSTEIN, WEPRIN, JAFFEE, HOOPER -- Multi-Sponsored by -- M. of A. GUNTHER -- read once and referred to the Committee on Election Law
- AN ACT to amend the election law, in relation to requirements of witnesses to a designating petition or independent nominating petition

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

1	Section 1. Subdivisions 2 and 3 of section 6-132 of the election law,
2	as amended by chapter 447 of the laws of 2006, are amended to read as
3	follows:
4	2. There shall be appended at the bottom of each sheet a signed state-
5	ment of a witness who is a duly qualified voter of the state and an
6	enrolled voter of the same political party as the voters qualified to
7	sign the petition[, and who is also a resident of the political subdivi-
8	sion in which the office or position is to be voted for. However, in the
9	case of a petition for election to the party position of member of the
10	county committee, residence in the same county shall be sufficient].
11	Such a statement shall be accepted for all purposes as the equivalent of
12	an affidavit, and if it contains a material false statement, shall
13	subject the person signing it to the same penalties as if he or she had
14	been duly sworn. The form of such statement shall be substantially as
15	follows:
16	STATEMENT OF WITNESS
17	I,I am a duly qualified
18	voter of the State of New York and am an enrolled voter of
19	the party. I now reside at
20	(residence address).
21	Each of the individuals whose names are subscribed to this petition
22	sheet containing (fill in number) signatures,
23	subscribed the same in my presence on the dates above indicated and
	EXPLANATIONMatter in ITALICS (underscored) is new; matter in brackets
	[] is old law to be omitted. LBD03645-01-3

. .

1	identified himself or herself to be the individual who signed this
2	sheet.
3	I understand that this statement will be accepted for all purposes as
4	the equivalent of an affidavit and, if it contains a material false
5	statement, shall subject me to the same penalties as if I had been duly
6	sworn.
7	Date:
8	Signature of Witness
9	Witness identification information: The following information must be
10 11	completed prior to filing with the board of elections in order for this
12	petition sheet to be valid. Town or City County
13	
14	3. In lieu of the signed statement of a witness who is a duly quali-
15	fied voter of the state [qualified to sign the petition], the following
16	statement signed by a notary public or commissioner of deeds shall be
17	accepted:
18	On the dates above indicated before me personally came each of the
19	voters whose signatures appear on this petition sheet containing
20	(fill in number) signatures, who signed same in my pres-
21	ence and who, being by me duly sworn, each for himself or herself, said
22	that the foregoing statement made and subscribed by him or her, was
23	true.
24	Date:
25	
26	(Signature and official title
26 27	(Signature and official title of officer administering oath)
26 27 28	(Signature and official title of officer administering oath) S 2. Subdivision 2 of section 6-140 of the election law, as amended by
26 27 28 29	(Signature and official title of officer administering oath) S 2. Subdivision 2 of section 6-140 of the election law, as amended by chapter 447 of the laws of 2006, is amended to read as follows:
26 27 28 29 30	(Signature and official title of officer administering oath) S 2. Subdivision 2 of section 6-140 of the election law, as amended by chapter 447 of the laws of 2006, is amended to read as follows: 2. In lieu of the signed statement of a witness who is a duly quali-
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