

1464

2013-2014 Regular Sessions

I N A S S E M B L Y

(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,..... (name of witness) state: 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

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

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 completed prior to filing with the board of elections in order for this  
11 petition sheet to be valid.

12 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  
27 of officer administering oath)

28 S 2. Subdivision 2 of section 6-140 of the election law, as amended by  
29 chapter 447 of the laws of 2006, is amended to read as follows:

30 2. In lieu of the signed statement of a witness who is a duly quali-  
31 fied voter of the state [qualified to sign the petition], the following  
32 statement signed by a notary public or commissioner of deeds shall be  
33 accepted:

34 On the dates above indicated before me personally came each of the  
35 voters whose signatures appear on this petition sheet containing  
36 ..... (fill in number) signatures, who signed same in my presence  
37 and who, being by me duly sworn, each for himself or herself, said that  
38 the foregoing statement made and subscribed by him or her, was true.

39 Date: .....

40 .....  
41 (Signature and official title  
42 of officer administering oath)

43 S 3. This act shall take effect on the one hundred twentieth day after  
44 it shall have become a law. Effective immediately, the addition, amend-  
45 ment and/or repeal of any rules or regulations necessary for the imple-  
46 mentation of this act on its effective date are authorized to be made on  
47 or before such date.