

1853

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Election Law

AN ACT to amend the election law, in relation to party nominations for
candidates for county office

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

- 1 Section 1. The election law is amended by adding a new section 6-109
2 to read as follows:
3 S 6-109. PARTY NOMINATIONS; COUNTIES. 1. PARTY DESIGNATION OF A CANDI-
4 DATE FOR NOMINATION FOR ANY OFFICE TO BE FILLED BY THE VOTERS OF THE
5 ENTIRE COUNTY SHALL BE MADE BY THE COUNTY COMMITTEE, IF THE PARTY RULES
6 OF SUCH COUNTY SO PROVIDE.
7 2. THE COUNTY COMMITTEE SHALL MAKE SUCH DESIGNATION BY MAJORITY VOTE.
8 THE PERSON RECEIVING THE MAJORITY VOTE SHALL BE THE PARTY'S DESIGNATED
9 CANDIDATE FOR NOMINATION. UPON THE VOTE FOR SUCH DESIGNATION, EACH
10 MEMBER OF THE COUNTY COMMITTEE SHALL BE ENTITLED TO CAST A NUMBER OF
11 VOTES WHICH SHALL BE IN ACCORDANCE WITH THE RATIO WHICH THE NUMBER OF
12 VOTES FOR THE PARTY CANDIDATE FOR GOVERNOR ON THE LINE OR COLUMN OF THE
13 PARTY AT THE LAST PRECEDING GENERAL STATE ELECTION IN THE UNIT OF REPRESENTATION
14 SUCH MEMBER REPRESENTS BEARS TO THE TOTAL VOTE CAST ON SUCH
15 LINE OR COLUMN AT SUCH ELECTION FOR SUCH CANDIDATE FOR GOVERNOR IN THE
16 ENTIRE COUNTY. THE APPORTIONMENT OF SUCH VOTES AS SO PRESCRIBED SHALL BE
17 DETERMINED BY THE RULES OF THE PARTY.
18 3. ENROLLED MEMBERS OF THE PARTY MAY MAKE OTHER DESIGNATIONS BY PETI-
19 TION FOR A MEMBER OF THE SAME PARTY.
20 4. THE MEETING OF THE COUNTY COMMITTEE FOR THE PURPOSE OF DESIGNATING
21 CANDIDATES SHALL BE HELD NOT EARLIER THAN TWENTY-ONE DAYS BEFORE THE
22 FIRST DAY TO SIGN DESIGNATING PETITIONS AND NOT LATER THAN THE FIRST DAY
23 TO SIGN DESIGNATING PETITIONS FOR THE PRIMARY ELECTION.

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

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1 5. WITHIN FOUR DAYS AFTER SUCH MEETING, THE COUNTY COMMITTEE SHALL
2 FILE WITH THE COUNTY BOARD OF ELECTIONS:

3 (A) THE NAMES OF THE PERSONS WHO HAVE RECEIVED THE DESIGNATION OF THE
4 COUNTY COMMITTEE AND THE OFFICES FOR WHICH DESIGNATED; AND

5 (B) THE NAMES OF THE PERSONS SELECTED BY THE COMMITTEE TO FILL VACAN-
6 CIES OR A CERTIFIED COPY OF THE PARTY RULE EMPOWERING SUCH COMMITTEE TO
7 FILL VACANCIES.

8 6. NO PERSON MAY BE DESIGNATED BY A COUNTY COMMITTEE FOR MORE THAN ONE
9 OFFICE PURSUANT TO THE PROVISIONS OF THIS SECTION.

10 7. PARTY DESIGNATION OF A CANDIDATE FOR ANY OFFICE CONTAINED WITHIN A
11 COUNTY SHALL BE DESIGNATED BY THE COUNTY COMMITTEE MEMBERS REPRESENTING
12 THE POLITICAL SUBDIVISION OF SUCH OFFICE, IF THE PARTY RULES OF SUCH
13 COUNTY SO PROVIDE.

14 8. A CANDIDATE FOR OFFICE FROM A DISTRICT WHICH CROSSES COUNTY LINES
15 SHALL BE DESIGNATED BY THE COUNTY COMMITTEE MEMBERS FROM SUCH DISTRICT
16 IF THE RULES OF THE COUNTY COMMITTEES OF EACH SUCH COUNTY SHALL ALL SO
17 PROVIDE.

18 S 2. This act shall take effect on the ninetieth day after it shall
19 have become a law.