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

8804--A

I N A S S E M B L Y

February 14, 2014

Introduced by M. of A. PAULIN, GALEF, ABINANTI, BUCHWALD, PRETLOW, MAYER, OTIS, KATZ -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to the filing of papers in Westchester county

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

Section 1. Section 1-106 of the election law, subdivision 1 as amended by chapter 700 of the laws of 1977, is amended to read as follows:

S 1-106. Filing of papers; when received. 1. All papers required to be filed pursuant to the provisions of this chapter shall, unless otherwise provided, be filed between the hours of nine A.M. and five P.M. If the last day for filing shall fall on a Saturday, Sunday or legal holiday, the next business day shall become the last day for filing. All papers sent by mail in an envelope postmarked prior to midnight of the last day of filing shall be deemed timely filed and accepted for filing when received[, except that all].

2. NEW YORK CITY. ALL certificates and petitions of designation or nomination, certificates of acceptance or declination of such designations and nominations, certificates of substitution for such designations or nominations and objections and specifications of objections to such certificates and petitions required to be filed with the board of elections of the city of New York must be actually received by such city board of elections on or before the last day to file any such petition, certificate or objection and such office shall be open for the receipt of such petitions, certificates and objections until midnight on the last day to file any such petition, certificate or objection. Failure of the post office or any other person or entity to deliver any such petition, certificate or objection to such city board of elections on or before such last day shall be a fatal defect.

3. ALL CERTIFICATES AND PETITIONS OF DESIGNATION OR NOMINATION AND PETITIONS REQUIRED TO BE FILED WITH THE WESTCHESTER COUNTY BOARD OF ELECTIONS MUST BE ACTUALLY RECEIVED BY SUCH BOARD OF ELECTIONS ON OR

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

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BEFORE THE LAST DAY TO FILE ANY SUCH PETITION AND SUCH OFFICE SHALL BE OPEN FOR THE RECEIPT OF SUCH PETITIONS UNTIL MIDNIGHT ON THE LAST DAY TO FILE ANY SUCH PETITION.

[2] 4. The failure to file any petition or certificate relating to the designation or nomination of a candidate for party position or public office or to the acceptance or declination of such designation or nomination within the time prescribed by the provisions of this chapter shall be a fatal defect.

S 2. This act shall take effect immediately.