

4669

2013-2014 Regular Sessions

I N   S E N A T E

April 17, 2013

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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.