

6310

2015-2016 Regular Sessions

I N A S S E M B L Y

March 20, 2015

Introduced by M. of A. ABINANTI -- 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:

STATEMENT OF WITNESS

16 I,..... (name of witness) state: I am a duly qualified
17 voter of the State of New York and am an enrolled voter of
18 the..... party. I now reside at.....
19 (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
24 identified himself or herself to be the individual who signed this
25 sheet.

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

1 I understand that this statement will be accepted for all purposes as
2 the equivalent of an affidavit and, if it contains a material false
3 statement, shall subject me to the same penalties as if I had been duly
4 sworn.

5 Date:.....

6 Signature of Witness

7 Witness identification information: The following information must be
8 completed prior to filing with the board of elections in order for this
9 petition sheet to be valid.

10 Town or City County

11

12 3. In lieu of the signed statement of a witness who is a duly quali-
13 fied voter of the state [qualified to sign the petition], the following
14 statement signed by a notary public or commissioner of deeds shall be
15 accepted:

16 On the dates above indicated before me personally came each of the
17 voters whose signatures appear on this petition sheet containing
18 (fill in number) signatures, who signed same in my pres-
19 ence and who, being by me duly sworn, each for himself or herself, said
20 that the foregoing statement made and subscribed by him or her, was
21 true.

22 Date:.....

23
24 (Signature and official title
25 of officer administering oath)

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

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

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

37 Date:

38
39 (Signature and official title
40 of officer administering oath)

41 S 3. Subdivision 1 of section 6-204 of the election law, as amended by
42 chapter 447 of the laws of 2006, is amended to read as follows:

43 1. Party designations for elective village offices shall be made on a
44 designating petition containing the signatures in ink of residents of
45 the village who are registered to vote with the appropriate county board
46 of elections at the time of signing and who are enrolled in such poli-
47 tical party. The sheets of such a petition shall be numbered. A signer
48 need not himself or herself fill in the date or residence. Each sheet of
49 such petition must be in substantially the following form and shall
50 contain all the information required therein:

1 I, the undersigned do hereby state that I am a registered voter of the
 2 Village of and a duly enrolled voter of the
 3 party and entitled to vote at the next primary election of such party,
 4 that my place of residence is truly stated opposite my signature hereto,
 5 and I hereby designate the following named person (or persons) as a
 6 candidate or (candidates) for nomination of such party for the public
 7 office or (public offices) to be voted for at the primary election to be
 8 held on the day of 20.... as hereinafter specified.

9	Name of Candidate	Public Office	Term	Residence
10
11

12 I do hereby appoint (insert names and addresses of at least three
 13 persons, all of whom shall be enrolled voters of said party) as a
 14 committee to fill vacancies in accordance with the provisions of the
 15 election law.

16 In witness whereof, I have hereunto set my hand, the day and year
 17 placed opposite my signature.

18	Date	Name	Residence
19
20

21 STATEMENT OF WITNESS

22 I (name of witness) state: I am a duly qualified voter
 23 of the State of New York; and an enrolled voter of the party
 24 [and now reside in the Village of County of State
 25 of New York at (residence address) therein]. I NOW RESIDE
 26 AT (RESIDENCE ADDRESS). Each of the persons whose names are
 27 subscribed to this petition sheet containing signatures,
 28 subscribed his or her name in my presence.

29 I understand that this statement will be accepted for all purposes as
 30 the equivalent of an affidavit and, if it contains a material false
 31 statement, shall subject me to the same penalties as if I had been duly
 32 sworn.

33
 34 Date: Signature of witness

35 In lieu of the signed statement of a witness who is a duly qualified
 36 voter of the state qualified to sign the petition, the following state-
 37 ment signed by a notary public shall be accepted:

38 On the dates above indicated before me personally came each of the
 39 voters whose signatures appear on this petition sheet containing
 40 (fill in number) signatures, who signed same in my pres-
 41 ence and who, being by me duly sworn, each for himself or herself, said
 42 that the foregoing statement made and subscribed by him or her, was
 43 true.

44 Date.....

1
 2 (Signature and official title
 3 of officer administering oath)

4 Page No.....

5 S 4. Subdivision 1 of section 6-206 of the election law, as amended by
6 chapter 447 of the laws of 2006, is amended to read as follows:

7 1. Independent nominations for elective village offices shall be made
8 by a petition containing the signatures in ink of residents of the
9 village who are registered with the appropriate county board of
10 elections at the time of signing. The sheets of such a petition shall be
11 numbered. A signer need not himself or herself fill in the date or resi-
12 dence. Each sheet of such petition must be in substantially the follow-
13 ing form and shall contain all the information required therein:

14 VILLAGE INDEPENDENT NOMINATING PETITION

15 I, the undersigned, do hereby state that I am a registered voter of
16 the Village of....., that my present place of residence is truly stat-
17 ed opposite my signature, and I do hereby nominate the following named
18 person (or persons) as a candidate (or as candidates) for election to
19 public office (or public offices) to be voted for at the election to be
20 held on the....day of....., 20....., and that I select the
21 name..... (fill in name) as the name of the independent body
22 making the nomination (or nominations) and.....(fill in emblem) as the
23 emblem of such body.

24	Name of			
25	Candidate	Public Office	Term	Residence
26	.....	.....	....	.....
27	.....	.....	....	.....

28 I do hereby appoint (insert names and addresses of at least three
29 persons, all of whom shall be registered voters within such village) as
30 a committee to fill vacancies in accordance with the provisions of the
31 election law.

32 In witness whereof, I have signed this petition on the day and year
33 stated before my signature.

34	Date	Signature	Residence
35	.....	.....	.....
36	.....	.....	.....

37 STATEMENT OF WITNESS

38 I, state that I am a duly qualified voter [and
39 now reside at (residence address) in the Village
40 of in the State of New York in the County of
41]; AND AM AN ENROLLED VOTER OF THE
42 PARTY. I NOW RESIDE AT (RESIDENCE
43 ADDRESS). Each of the voters whose names are subscribed to this petition
44 sheet containing (fill in number) signatures,
45 subscribed his or her name in my presence.

46 I understand that this statement will be accepted for all purposes as
47 the equivalent of an affidavit and, if it contains a material false
48 statement, shall subject me to the same penalties as if I had been duly
49 sworn.

1
 2 Date Signature of witness

3 S 5. Paragraph a of subdivision 3 of section 15-108 of the election
 4 law, as amended by chapter 447 of the laws of 2006, is amended to read
 5 as follows:

6 a. Party designations for elective village offices shall be made on a
 7 designating petition containing the signatures in ink of residents of
 8 the village who are registered to vote with the appropriate county board
 9 of elections at the time of signing and who are enrolled in such poli-
 10 tical party. The sheets of such a petition shall be numbered. Such peti-
 11 tion must set forth in each instance the correct date of signing, the
 12 name of the signer, and his or her present address, and may set forth a
 13 committee to fill vacancies consisting of at least three qualified
 14 voters of the village enrolled in such party and their residence within
 15 the village. A signer need not himself or herself fill in the date or
 16 residence. Each sheet of such petition must be in substantially the
 17 following form and shall contain all the information required therein:

18 PARTY DESIGNATING PETITION

19 I, the undersigned do hereby state that I am a registered voter of the
 20 Village of and a duly enrolled voter of the party and
 21 entitled to vote at the next primary election of such party, that my
 22 place of residence is truly stated opposite my signature hereto, and I
 23 hereby designate the following named person (or persons) as a candidate
 24 (or candidates) for nomination of such party for the public office (or
 25 public offices) to be voted for at the primary election to be held on
 26 the day of 20.... as hereinafter specified.

27	Name of Candidate	Public Office	Term	Residence
28
29

30 I do hereby appoint (insert names and addresses of at least three
 31 persons, all of whom shall be enrolled voters of said party) as a
 32 committee to fill vacancies in accordance with the provisions of the
 33 election law.

34 IN WITNESS WHEREOF, I have hereunto set my hand, the day and year
 35 placed opposite my signature.

36	Date	Name	Residence
37
38

39 STATEMENT OF WITNESS

40 I (name of witness) state: I am a duly qualified voter
 41 of the State of New York; and an enrolled voter of the party
 42 [and now reside in the Village of County of State of
 43 New York at (residence address) therein]. I NOW RESIDE
 44 AT(RESIDENCE ADDRESS). Each of the persons whose names
 45 are subscribed to this petition sheet containing signatures,
 46 subscribed his or her name in my presence.

1 I understand that this statement will be accepted for all purposes as
2 the equivalent of an affidavit and, if it contains a material false
3 statement, shall subject me to the same penalties as if I had been duly
4 sworn.

5 S 6. Subdivision 4 of section 15-108 of the election law, as amended
6 by chapter 447 of the laws of 2006, is amended to read as follows:

7 4. Independent nominations for elective village offices shall be made
8 by a petition containing the signatures in ink of residents of the
9 village who are registered with the appropriate county board of
10 elections at the time of signing or who are residents of the village who
11 were on the list of registered voters for the last village election in
12 such village. The sheets of such a petition shall be numbered. Such
13 petition must set forth in each instance the correct date of signing,
14 the name of the signer and his or her present address, and may set forth
15 a committee to fill vacancies consisting of at least three persons qual-
16 ified to vote in the village election and their residence within the
17 village. A signer need not himself or herself fill in the date or resi-
18 dence. Each sheet of such petition must be in substantially the follow-
19 ing form and shall contain all the information required therein except
20 as may otherwise be permitted by law.

21 VILLAGE INDEPENDENT NOMINATING PETITION

22 I, the undersigned, do hereby state that I am a registered voter of
23 the Village of, that my present place of residence is truly
24 stated opposite my signature, and I do hereby nominate the following
25 named person (or persons) as a candidate (or as candidates) for election
26 to public office (or public offices) to be voted for at the election to
27 be held on the day of, 20....., and that I select the
28 name (fill in name) as the name of the independent body
29 making the nomination (or nominations) and (fill in emblem) as the
30 emblem of such body.

31	Name of Candidate	Public Office	Term	Residence
32
33

34 I do hereby appoint _ _ _ _

35	Name	Residence
36
37

38 as a committee to fill vacancies in accordance with the provisions of
39 the election law.

40 IN WITNESS WHEREOF, I have signed this petition on the day and year
41 stated before my signature.

42	Date	Signature	Residence
43
44

45 STATEMENT OF WITNESS

46 I, state that I am a duly qualified voter [and now
47 reside at (residence address) in the Village
48 of in] OF the State of New York [in the County

1 of]; AND AM AN ENROLLED VOTER OF THE PARTY. I NOW
2 RESIDE AT (RESIDENCE ADDRESS). Each of the voters whose names
3 are subscribed to this petition sheet, containing (fill in
4 number) signatures, subscribed his or her name in my presence.

5 I understand that this statement will be accepted for all purposes as
6 the equivalent of an affidavit and, if it contains a material false
7 statement, shall subject me to the same penalties as if I had been duly
8 sworn.

9 Date
10 Signature of Witness

11 S 7. This act shall take effect on the one hundred twentieth day after
12 it shall have become a law. Effective immediately, the addition, amend-
13 ment and/or repeal of any rules or regulations necessary for the imple-
14 mentation of this act on its effective date are authorized to be made on
15 or before such date.