

S. 7933

A. 10419

S E N A T E - A S S E M B L Y

May 26, 2016

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IN SENATE -- Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

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

AN ACT to amend the election law, in relation to designating and nominating petitions

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

1     Section 1. Subdivision 1 of section 6-132 of the election law, as  
 2     amended by chapter 235 of the laws of 2000, is amended to read as  
 3     follows:  
 4     1. Each sheet of a designating petition shall be signed in ink and  
 5     shall contain the following information and shall be in substantially  
 6     the following form:  
 7     I, the undersigned, do hereby state that I am a duly enrolled voter of  
 8     the..... party and entitled to vote at the next primary  
 9     election of such party, to be held on....., 20...; that my  
 10    place of residence is truly stated opposite my signature hereto, and I  
 11    do hereby designate the following named person (or persons) as a candi-  
 12    date (or candidates) for the nomination of such party for public office  
 13    or for election to a party position of such party.  
 14                               Public Office  
 15                               or party position                               Place of Residence  
 16    Names of                   (INCLUDE DISTRICT NUMBER, (also post office address,  
 17    candidates               IF APPLICABLE)                               if not identical)  
 18    .....                   .....                               .....  
 19    .....                   .....                               .....  
 20    I do hereby appoint ..... (insert the names  
 21    and addresses of at least three persons, all of whom shall be enrolled  
 22    voters of said party) as a committee to fill vacancies in accordance  
 23    with the provisions of the election law.  
 24    In witness whereof, I have hereunto set my hand, the day and year  
 25    placed opposite my signature.

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

LBD15427-03-6

1	Date	Name of Signer	Residence
2	.....	.....	.....
3	.....	.....	.....
4			Town or city (except
5			in the city of New
6			York, the county)
7			.....
8			.....

9 S 2. Paragraph a of subdivision 1 of section 6-140 of the election  
10 law, as amended by chapter 235 of the laws of 2000, is amended to read  
11 as follows:

12 a. Each sheet of an independent nominating petition shall be signed in  
13 ink, shall contain the following information and shall be in substan-  
14 tially the following form:

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

25	Public	Place of residence
26	Office	(also post office
27	(INCLUDE DISTRICT	address
28	NUMBER, IF APPLICABLE) if not identical)	
29	.....	.....
30	.....	.....
31	I do hereby appoint ..... (here insert the names	
32	and addresses of at least three persons, all of whom shall be registered	
33	voters within such political unit), as a committee to fill vacancies in	
34	accordance with the provisions of the election law.	
35	In witness whereof, I have hereunto set my hand, the day and year	
36	placed opposite my signature.	

37	Date	Name of Signer	Residence
38	.....	.....	.....
39	.....	.....	.....
40			Town or city (except
41			in the city of New
42			York, the county)
			.....
			.....

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

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

1 such petition must be in substantially the following form and shall  
2 contain all the information required therein:

3 PARTY DESIGNATING PETITION

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

		Public Office (INCLUDE DISTRICT NUMBER, IF APPLICABLE)	Term	Residence
12	Name of Candidate			
16	.....	.....	.....	.....
17	.....	.....	.....	.....

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

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

	Date	Name	Residence
25	.....	.....	.....
26	.....	.....	.....

27 STATEMENT OF WITNESS

28 I ..... (name of witness) state: I am a duly qualified voter  
29 of the State of New York; and an enrolled voter of the ..... party  
30 and now reside in the Village of ..... County of ..... State of  
31 New York at ..... (residence address) therein. Each of the  
32 persons whose names are subscribed to this petition sheet containing  
33 ..... signatures, subscribed his or her name in my presence.

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

38	.....	.....
39	Date	Signature of witness

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

43 On the dates above indicated before me personally came each of the  
44 voters whose signatures appear on this petition sheet containing  
45 ..... (fill in number) signatures, who signed same in my pres-

1 ence and who, being by me duly sworn, each for himself or herself, said  
 2 that the foregoing statement made and subscribed by him or her, was  
 3 true.  
 4 Date.....

5 .....  
 6 (Signature and official title  
 7 of officer administering oath)

8 Page No.....

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

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

18 VILLAGE INDEPENDENT NOMINATING PETITION

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

28 Name of	29 Candidate	30 Public Office (INCLUDE DISTRICT NUMBER, IF APPLICABLE)	31 Term	32 Residence
32	.....	.....	....	.....
33	.....	.....	....	.....

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

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

40 Date	41 Signature	42 Residence
41	.....	.....
42	.....	.....

43 STATEMENT OF WITNESS

44 I, ..... state that I am a duly qualified voter and  
 45 now reside at ..... (residence address) in the Village  
 46 of ..... in the State of New York in the County of  
 47 ..... Each of the voters whose names are subscribed to

1 this petition sheet containing ..... (fill in number) signa-  
 2 tures, subscribed his or her name in my presence.

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 .....

.....

8 Date

Signature of witness

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

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

24 PARTY DESIGNATING PETITION

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

33 Public Office

34 (INCLUDE DISTRICT

35 NUMBER, IF

36 Name of Candidate APPLICABLE)

Term

Residence

37 ..... ..

38 ..... ..

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

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

45 Date

Name

Residence

46 ..... ..

47 ..... ..

1

## STATEMENT OF WITNESS

2

I ..... (name of witness) state: I am a duly qualified voter of the State of New York; and an enrolled voter of the ..... party and now reside in the Village of ..... County of ..... State of New York at ..... (residence address) therein. Each of the persons whose names are subscribed to this petition sheet containing ..... signatures, subscribed his or her name in my presence.

9

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

13

.....

14

Date

15

Signature of Witness

page no. ....

16

4. Independent nominations for elective village offices shall be made by a petition containing the signatures in ink of residents of the village who are registered with the appropriate county board of elections at the time of signing or who are residents of the village who were on the list of registered voters for the last village election in such village. The sheets of such a petition shall be numbered. Such petition must set forth in each instance the correct date of signing, the name of the signer and his or her present address, and may set forth a committee to fill vacancies consisting of at least three persons qualified to vote in the village election and their residence within the village. A signer need not himself or herself fill in the date or residence. Each sheet of such petition must be in substantially the following form and shall contain all the information required therein except as may otherwise be permitted by law.

30

## VILLAGE INDEPENDENT NOMINATING PETITION

31

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

40

Public Office

41

(INCLUDE DISTRICT

42

NUMBER, IF

43

Name of Candidate

APPLICABLE)

Term

Residence

44

.....

45

.....

46

I do hereby appoint \_ \_ \_ \_

47

Name

Residence

48

.....

49

.....

1 as a committee to fill vacancies in accordance with the provisions of  
2 the election law.

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

5	Date	Signature	Residence
6	.....	.....	.....
7	.....	.....	.....

8 STATEMENT OF WITNESS

9 I, ..... state that I am a duly qualified voter and now  
10 reside at ..... (residence address) in the Village  
11 of ..... in the State of New York in the County of ..... . Each  
12 of the voters whose names are subscribed to this petition sheet,  
13 containing ..... (fill in number) signatures, subscribed his or her  
14 name in my presence.

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

19	Date .....	.....
20		Signature of Witness

21 S 6. This act shall take effect immediately.