

3657

2015-2016 Regular Sessions

I N S E N A T E

February 13, 2015

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

AN ACT to amend the election law, in relation to determinations by county canvassing boards and publication of lists of nominations

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 9-212 of the election law,
2 as amended by chapter 635 of the laws of 1990, are amended to read as
3 follows:
4 2. All such determinations shall be in writing and signed by the
5 members of the canvassing board or a majority of them and filed and
6 recorded in the office of the board of elections, THE BOARD OF ELECTIONS
7 SHALL CAUSE A COPY OF SUCH DETERMINATIONS, AND OF THE STATEMENTS FILED
8 IN ITS OFFICE UPON WHICH SUCH DETERMINATIONS WERE BASED, TO BE CONSPICU-
9 OUSLY POSTED ON ITS WEBSITE. THE STATEMENT OF CANVASS TO BE POSTED,
10 HOWEVER, SHALL NOT GIVE THE VOTE BY ELECTION DISTRICTS BUT SHALL CONTAIN
11 ONLY THE TOTAL VOTE FOR A PERSON, OR THE TOTAL VOTE FOR AND THE TOTAL
12 VOTE AGAINST A BALLOT PROPOSAL, CAST WITHIN THE COUNTY, OR WITHIN THE
13 PORTION THEREOF, IF ANY, IN WHICH AN OFFICE IS FILLED OR BALLOT PROPOSAL
14 IS DECIDED BY THE VOTERS IF THE CANVASS OF THE VOTE THEREON DEVOLVES
15 UPON THE COUNTY BOARD OF CANVASSERS. [Except in the city of New York and
16 in the counties of Nassau, Orange and Westchester, the board of
17 elections shall cause a copy of such determinations, and of the state-
18 ments filed in its office upon which such determinations were based, to
19 be published once in each of the newspapers designated to publish
20 election notices and the official canvass. The statement of canvass to
21 be published, however, shall not give the vote by election districts but
22 shall contain only the total vote for a person, or the total vote for
23 and the total vote against a ballot proposal, cast within the county, or
24 within the portion thereof, if any, in which an office is filled or
25 ballot proposal is decided by the voters if the canvass of the vote

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

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1 thereon devolves upon the county board of canvassers.] Such totals shall
2 be expressed in arabic numerals.

3 3. The board of elections shall prepare and forthwith transmit to each
4 person determined by the canvassing board to have been elected a certi-
5 fied statement, naming the office to which such canvassing board has
6 declared him OR HER elected.

7 S 2. Subdivisions 1 and 3 of section 4-122 of the election law, as
8 amended by chapter 359 of the laws of 1989, are amended to read as
9 follows:

10 1. The county board of elections shall publish, AND CONSPICUOUSLY
11 POST ON ITS WEBSITE, at least six days before an election, a list
12 containing the name [and residence] of every candidate for public office
13 to be voted for within its jurisdiction at such election.

14 3. [The] IN ADDITION TO BEING CONSPICUOUSLY POSTED ON THE BOARD OF
15 ELECTIONS WEBSITE, THE list described in subdivision one of this section
16 shall be published at least once in [not less than two nor more than
17 four newspapers] A NEWSPAPER OF GENERAL CIRCULATION in the county. In a
18 county containing a city, [at least one] such publication shall be in a
19 daily newspaper published in a city therein, if there be such a newspa-
20 per. In the case of a village election held at a time other than the
21 time of a general election, such publication shall be in a newspaper
22 having general circulation in such village. [So far as is consistent
23 with this section, one such newspaper shall represent each of the major
24 political parties.] Should the board of elections find it impossible to
25 make such publication six days before election it shall make it at the
26 earliest possible day thereafter before the election.

27 S 3. This act shall take effect immediately.