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

6002

2015-2016 Regular Sessions

I N S E N A T E

June 19, 2015

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

AN ACT to amend a chapter of the laws of 2015, amending the election law relating to conducting the presidential primary, as proposed in legislative bill number S.5958, in relation to providing for the election of delegates to a national party convention or a national party conference in 2016

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

Section 1. Subdivisions 2 and 7 of section 2-122-a of the election law, as amended by section 3 of a chapter of the laws of 2015, amending the election law relating to conducting the presidential primary, as proposed in legislative bill number S.5958, are amended to read as follows:

2. If the rules of a state committee adopted pursuant to the provisions of this section provide for a primary election in which the office of president of the United States appears on the ballot, designation of candidates for such office shall be made pursuant to the provisions of sections 6-100, 6-118, 6-122 (except that such candidates need not be citizens of New York but only citizens of the United States), 6-130, 6-132 (except that references to a committee to fill vacancies shall be deemed references to a committee to receive notices), 6-134, 6-144, the provisions with respect to declinations in subdivisions one and two of section 6-146 (except that references to a committee to fill vacancies shall be deemed references to a committee to receive notices), 6-154, and subdivision one and the provision with respect to declinations in subdivision two of section 6-158 (except that such candidates may decline such designations not later than February [sixteenth] *EIGHTH*, two thousand sixteen) of this chapter. The state board of elections shall forthwith notify the appropriate county boards of elections of any such declination filed.

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

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7. a. The rules of a state committee adopted pursuant to the provisions of this section may provide that no candidate for the positions of delegate and alternate delegate may appear on the ballot as pledged to support a particular presidential candidate, or as uncommitted, unless the name of such candidate for such position appears on a certificate listing the names of those candidates for such positions who have filed statements of candidacy for such positions with the secretary of the state committee within the time prescribed by such rules and who, if their statements of candidacy contained a pledge of support of a presidential candidate, were not rejected by such presidential candidate. Such certificate shall also list the address and sex of each such candidate for delegate and alternate delegate and the district in which such candidate may appear on the ballot.

b. Such certificate shall be filed by the secretary of such state committee, with the board of elections with which the designating petitions for such candidates for such positions are required to be filed, not later than February [twenty-third] SIXTEENTH, two thousand sixteen.

c. In the event that a designating petition for candidates for such positions, listed as pledged to support a presidential candidate, contains the names of one or more persons who have not been permitted by such presidential candidate to appear on the ballot as so pledged pursuant to the provisions of this section, then the names of such candidates shall not appear on the ballot but the names of other candidates on such petition who have been permitted by the presidential candidate to appear on the ballot shall be placed on the ballot provided that such candidates are otherwise eligible and that such petition is otherwise valid.

d. The state board of elections shall send a copy of the certificate required by section 4-110 of this chapter to the secretary of the state committee of each party conducting a primary pursuant to the provisions of this section not later than [March third] FEBRUARY TWENTY-FIFTH, two thousand sixteen. Every other board of elections with which designating petitions for delegate and alternate delegate were filed pursuant to the provisions of this section shall, not later than [March fourth] FEBRUARY TWENTY-SIXTH, two thousand sixteen, send a list of the names and addresses of those candidates who will appear on the ballot to the secretary of each such state committee.

S 2. This act shall take effect on the same date and the in the same manner as a chapter of the laws of 2015, amending the election law relating to conducting the presidential primary, as proposed in legislative bill number S.5958, takes effect.