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I N   S E N A T E

February 25, 2016

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Introduced by Sen. AVELLA -- 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 publishing candidate website information

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

1     Section 1. The election law is amended by adding a new section 4-123  
2     to read as follows:  
3     S 4-123. PUBLICATION OF CANDIDATE WEBSITES. 1. THE STATE BOARD OF  
4     ELECTIONS SHALL PUBLISH ON ITS WEBSITE THE CAMPAIGN WEBSITE ADDRESS  
5     DESIGNATED BY ANY CANDIDATES FOR PUBLIC OFFICE ON THE BALLOT AT THE NEXT  
6     PRIMARY, SPECIAL OR GENERAL ELECTION, EXCEPT AS PROVIDED IN SUBDIVISION  
7     THREE OF THIS SECTION. THE CANDIDATE SHALL NOTIFY THE STATE BOARD OF  
8     ELECTIONS OF HIS OR HER WEBSITE ADDRESS ON THE CANDIDATE'S PETITION  
9     COVER SHEET OR IN A SEPARATE WRITING SIGNED BY THE CANDIDATE. ANY CANDI-  
10    DATE WHO DOES NOT PROVIDE A WEBSITE ADDRESS SHALL BE LISTED AS HAVING  
11    NOT PROVIDED A WEBSITE ADDRESS FOR PUBLICATION.  
12    2. EACH BOARD OF ELECTIONS SHALL PUBLISH THE WEBSITE ADDRESSES OF  
13    CANDIDATES FOR PUBLIC OFFICE ON THE BALLOT WITHIN THE JURISDICTION OF  
14    SUCH BOARD AT THE NEXT PRIMARY, SPECIAL OR GENERAL ELECTION.  
15    3. THE STATE BOARD OF ELECTIONS SHALL NOT PUBLISH ANY WEBSITE ADDRESS  
16    FOUND TO BE UNRELATED TO A CANDIDACY FOR PUBLIC OFFICE. SUCH DENIAL TO  
17    PUBLISH A WEBSITE ADDRESS SHALL BE REVIEWED ONLY IN A SPECIAL PROCEEDING  
18    BROUGHT BY THE CANDIDATE PURSUANT TO ARTICLE SEVENTY-EIGHT OF THE CIVIL  
19    PRACTICE LAW AND RULES.  
20    4. THE STATE BOARD OF ELECTIONS SHALL PROMINENTLY DISPLAY THE FOLLOW-  
21    ING DISCLAIMER WITH RELATION TO THE LIST OF CANDIDATE WEBSITE ADDRESSES:  
22    "THE WEBSITE ADDRESSES PUBLISHED HERE ARE DESIGNATED BY THE CANDIDATE.  
23    THE STATE BOARD OF ELECTIONS IS NOT RESPONSIBLE FOR AND EXPRESSES NO  
24    OPINION AS TO THE CONTENT OF CANDIDATE WEBSITES."  
25    S 2. The state board of elections shall, within six months of the  
26    effective date of this act, promulgate rules or regulations to implement  
27    the provisions of this act which shall include the time of publication  
28    and the format for publication of the list of website addresses and

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

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1 objective criteria for making a determination that a website is not  
2 related to a candidacy for public office.  
3 S 3. This act shall take effect on the first of December next succeed-  
4 ing the date on which it shall have become a law.