STATE OF NEW YORK

5381--A

2017-2018 Regular Sessions

IN ASSEMBLY

February 8, 2017

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Election Law -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law and the election law, in relation to the placement of certain offices on general election ballots

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 42 of the public officers law, as amended by chapter 878 of the laws of 1946, is amended to read as follows:

1. A vacancy occurring before September twentieth of any year in any office authorized to be filled at a general election, except in the offices of governor or lieutenant-governor, shall be filled at the general election held next thereafter, unless otherwise provided by the constitution, or unless previously filled at a special election. **When a special election has not been called to fill a vacancy, and the office is to be filled at the general election for more than one sequential period, then such office shall appear only once on the ballot at such general election.**

§ 2. The election law is amended by adding a new section 6-149 to read as follows:

§ 6-149. Filling vacancies at the general election. When a special election has not been called to fill a vacancy, and the office is to be filled at the general election for more than one sequential period, then then such office shall appear only once on the ballot at such general election.

§ 3. This act shall take effect immediately.

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

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