

STATE OF NEW YORK

1421

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

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 designating and nominating petitions

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

Section 1. Subdivision 1 of section 6-132 of the election law, as amended by chapter 235 of the laws of 2000, is amended to read as follows:

1. Each sheet of a designating petition shall be signed in ink and shall contain the following information and shall be in substantially the following form:

I, the undersigned, do hereby state that I am a duly enrolled voter of the..... party and entitled to vote at the next primary election of such party, to be held on....., 20...; that my place of residence is truly stated opposite my signature hereto, and I do hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such party for public office or for election to a party position of such party.

	Public Office or party position	Place of Residence
Names of	<u>(include district number,</u>	(also post office address,
candidates	<u>if applicable)</u>	if not identical)
.....
.....

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

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

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

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Date	Name of Signer	Residence
.....
.....
		Town or city (except
		in the city of New
		York, the county)
	
	

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

a. Each sheet of an independent nominating petition shall be signed in ink, shall contain the following information and shall be in substantially the following form:

I, the undersigned, do hereby state that I am a registered voter of the political unit for which a nomination for public office is hereby being made, that my present place of residence is truly stated opposite my signature hereto, and that 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.

Name of Candidate	Public Office <u>(include district number, if applicable)</u>	Place of residence (also post office address if not identical)
.....
.....

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

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

Date	Name of Signer	Residence
.....
.....
		Town or city (except
		in the city of New
		York, the county)
	
	

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

1. Party designations for elective village offices shall be made on a designating petition containing the signatures in ink of residents of the village who are registered to vote with the appropriate county board of elections at the time of signing and who are enrolled in such political party. The sheets of such a petition shall be numbered. A signer 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.

12		Public Office		
13		<u>(include district</u>		
14		<u>number,</u>		
15	Name of Candidate	<u>if applicable)</u>	Term	Residence

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.

24	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 § 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	Public Office	Term	Residence
30		<u>(include district</u>		
31		<u>number, if applicable)</u>		
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	Signature	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 § 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

STATEMENT OF WITNESS

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.

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.

.....

Date

.....

Signature of Witness

page no.

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.

VILLAGE INDEPENDENT NOMINATING PETITION

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.

Public Office

(include district
number, if
applicable)

Name of Candidate

Term

Residence

.....
.....

I do hereby appoint _ _ _ _

Name

Residence

.....
.....

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 § 6. This act shall take effect immediately.