## STATE OF NEW YORK

4208

## 2017-2018 Regular Sessions

## IN SENATE

February 6, 2017

Introduced by Sen. DILAN -- 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 requiring ballot rotation

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

Section 1. Subdivision 6 of section $7-116$ of the election law, the second undesignated paragraph as amended by chapter 121 of the laws of 1997, is amended to read as follows:
6. In the city of New York, the ballot [on the voting maehine] for primary elections shall conform to the following additional provisions:

The names of the candidates designated for [sueh] public office [er party position] in the primary of a party shall be placed under the title of the office or position in the alphabetical order of their surnames, in the first or lowest numbered assembly district and election district of any political unit or subdivision within a county. If candidates' surnames are identical, their given or first name shall determine their order. Thereafter the names shall be rotated by election districts by transposing the first named candidate to the bottom of the order at each succeeding election district, so that each name shall appear first and in each other position in an equal number, as nearly as possible, of the election districts [and exeept, further, that where two or more candidates are to be elected to the same party position, the names of eandidates for sueh a position whieh appear on the same designating petition shall be grouped together on the ballot in the order in whieh their names appear on the designating petition and the group rotated alphabetieally in relation to-othex groups or individual eandidateo aeeording to the ourname of the firot person on the derignating petition of oueh group. Groupo of eandidates for delegate and alternate delegate, and groupo of eandidateo for male and female delegate and male and female alternate delegate to the same convention

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

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designated on the same petition shall be rotated together alphabetieally in relation to other groups or individual oandidates aeoording to the ourname of the firot persen lioted on oueh deoignating petition in the group of eandidates for whiehever of oueh delegate or alternate delegate positions will appear first on the voting machine. If the rules of a party committee provide for equal representation of the sexes among the members of a state committee elected from each unit of representation, elections for male and female members of such a oommittee from a single unit of representation shall be eondueted as eleetions for two-different party positions]. Notwithstanding the provisions of this paragraph, if the board of elections has assigned numbers to the candidates for an office [er peoitien] because of identical or similar names among such candidates, the names of such candidates shall be placed under the title of such office [ex poeition] in the order of such numbers in such first or lowest numbered district, and the names shall not be rotated by election district. Such names shall appear in the identical order on each ballot in each election district.
[Gounty oommittee oandidates or groups of oandidates shall be printed within the first eleetion distriet of eaoh assembly distriet or part thereof, aeoording to the prioxity of filing of designating petitions and they shall then be rotated by eleotion dietriot by plaeing the eandidate or group-of eandidates designated in the same petition as the eandidate or group-of eandidateg which was printed firot in an eleetion distriet at the bottom of the oxder in the next suceeeding eleetion distriet in which a candidate or group of candidates designated in sueh petition appears on the ballot.

In eases where a name is added to- or removed from the ballot by court oxder too late to make a eomplete adjustment to these requirements feasible, the name may be added at the bottom of the list of eandidates in all eleetion dietriets, or remored from the ballot in all eleetion diotrieto without ehanging the previouoly arxanged oxder of other names and witheut invalidating the eleetion.] Any inadvertent error in the order of names discovered too late to correct the order of the names on the ballots concerned shall not invalidate an election.

Except where a contest or candidate is removed from the ballot by court order too late to make complete compliance with this paragraph feasible, the title of each public office [ox party pocition] and the names of the candidates for such office [or position] appearing on any [woting maehine] ballot used for primary elections in the city of New York shall appear on such [maehine] ballot immediately adjacent to one another, either horizontally or vertically; and no blank spaces shall separate the names of candidates actually running for an office [ex party position] on such [woting machine] ballot, and no blank spaces shall separate any two such offices [ox pesitions] which appear on such [woting machine] ballot in the same column or row.
§ 2. This act shall take effect immediately.

