STATE OF NEW YORK

1989

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to prohibiting election commissioners and deputy elections commissioners from holding a publicly elected office

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

Section 1. Subdivision 4 of section 3-200 of the election law, as amended by chapter 195 of the laws of 2003, is amended to read as follows:

4. No person [~~shall be~~] appointed as election commissioner or **deputy election commissioner shall** continue to hold office who is not a registered voter in the county and not an enrolled member of the party recommending his **or her** appointment, **or who is the chair of the respective democratic or republican party or committee in such county** or who holds any other public office, except that of commissioner of deeds, notary public, [~~village officer, city or town justice,~~] member of a community board within the city of New York or trustee or officer of a school district outside of a city**; provided, however, that the provision of this subdivision prohibiting an election commissioner or deputy election commissioner from continuing to hold office who is the chair of the respective democratic or republican party or committee in such county shall not apply to any person currently serving as election commissioner or deputy election commissioner**.

§ 2. Subdivision 6 of section 3-200 of the election law is amended to read as follows:

6. An election commissioner **or deputy election commissioner** shall not be a candidate for any elective office which he **or she** would not be entitled to hold under the provisions of this article, unless he **or she** has ceased by resignation or otherwise, to be commissioner **or deputy commissioner** prior to his **or her** nomination or designation therefor. Otherwise such nomination or designation shall be null and void.

§ 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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