

# STATE OF NEW YORK

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1448

2019-2020 Regular Sessions

## IN ASSEMBLY

January 15, 2019

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Introduced by M. of A. QUART, GALEF -- Multi-Sponsored by -- M. of A. LAWRENCE, SIMON -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to the text of proposed constitutional amendments and questions

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

1 Section 1. Section 4-108 of the election law, paragraph b of subdivi-  
2 sion 1 as amended by chapter 117 of the laws of 1985, paragraph d of  
3 subdivision 1 and subdivision 2 as amended by chapter 136 of the laws of  
4 1978, and subdivision 3 as added by chapter 234 of the laws of 1976, is  
5 amended to read as follows:

6 § 4-108. Certification of proposed constitutional amendments and ques-  
7 tions. 1. a. Whenever any proposed amendment to the constitution or  
8 other question provided by law to be submitted to a statewide vote shall  
9 be submitted to the people for their approval, the state board of  
10 elections at least three months prior to the general election at which  
11 such amendment, proposition or question is to be submitted, shall (i)  
12 transmit to each county board of elections a certified copy of the text  
13 of each amendment, proposition or question and a statement of the form  
14 in which it is to be submitted; and (ii) publish a copy of the text of  
15 each amendment, proposition or question and a statement of the form in  
16 which it is to be submitted on the state board of elections website  
17 until the day after the general election of that particular year.

18 b. Whenever any proposal, proposition or referendum as provided by law  
19 is to be submitted to a vote of the people of a county, city, town,  
20 village or special district, at an election conducted by the board of  
21 elections, the clerk of such political subdivision, at least thirty-six  
22 days prior to the election at which such proposal, proposition or refer-  
23 endum is to be submitted, shall transmit to each board of elections a  
24 certified copy of the text of such proposal, proposition or referendum

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

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1 and a statement of the form in which it is to be submitted. If a special  
2 election is to be held, such transmittal shall also give the date of  
3 such election.

4 c. Such certified copy shall set out all new matter in italics and  
5 enclose in brackets, [—], all matter to be eliminated from existing  
6 law, and at the bottom of each page shall be appended the words:

7 Explanation: Matter in italics is new, to be added; matter in brackets  
8 [—] is old law, to be omitted.

9 d. In addition to the text, as required under paragraph a of this  
10 subdivision, such transmittal shall contain an abstract of such proposed  
11 amendment, proposition or question, [~~prepared by the state board of~~  
12 ~~elections~~] concisely stating the purpose and effect thereof in a clear  
13 and coherent manner using words with common and everyday meanings.

14 2. The form in which the proposed amendment, proposition or question  
15 is to be submitted shall consist of only an abbreviated title indicating  
16 generally and briefly, and in a clear, unbiased and coherent manner  
17 using words with common and every-day meanings, the subject matter of  
18 the amendment, proposition or question. If more than one such amendment,  
19 proposition or question is to be voted upon at such election, each such  
20 amendment, proposition or question respectively shall be separately and  
21 consecutively numbered.

22 3. The attorney general shall [~~advise in the preparation of~~] prepare  
23 and deliver such abstract and such form of submission, as required under  
24 paragraphs a and d of subdivision one of this section, to the state  
25 board of elections at least four months prior to the general election at  
26 which such amendment, proposition or question is to be submitted.

27 § 2. This act shall take effect one year after it shall have become a  
28 law.