## STATE OF NEW YORK

2641

2019-2020 Regular Sessions

## IN ASSEMBLY

January 24, 2019

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

AN ACT to amend the election law, in relation to prohibiting multiple party designations for candidates for public office and to repeal subdivision 5 of section $7-104$ of such law relating thereto

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

Section 1. Subdivision 1 of section 6-146 of the election law is amended to read as follows:

1. A person designated as a candidate for nomination or for party position, or nominated for an office, otherwise than at a primary election, may, in a certificate signed and acknowledged by him or her, and filed as provided in this article, decline the designation or nomination; provided, however, that, if designated or nominated for a public office other than a judicial office by a party of which he or she is not a duly enrolled member, or if designated or nominated for a public office other than a judicial office by more than one party or independent body or by an independent body alone, such person shall, in a certificate signed and acknowledged by him or her, and filed as provided in this article, accept the designation or nomination as a candidate of each such party or independent body other than that of the party of which he or she is an enrolled member, otherwise such designation or nomination shall be null and void; provided, further, however, that if a person who has been designated as a candidate for the nomination of more than one party for the same public office, except judicial office, accepts the designation of a party of which he or she is not enrolled, all other such designations of such candidate for such office shall be deemed to have been declined. If a person who accepts the nomination of an independent body for an office, except judicial office, is also nominated by a party for such office, such nomination of such independent body shall be deemed to have been declined.

[^0]§ 2. Subdivision 4 of section $7-104$ of the election law, as amended by chapter 165 of the laws of 2010 , is amended to read as follows:
4. (a) The names of all candidates nominated by any party or independent body for an office shall always appear in the row or column containing generally the names of candidates nominated by such party or independent body for other offices [exeept as hereinafter provided].
(b) When the same person has been nominated for an office to be filled at the election by more than one party, the voting machine shall be so adjusted that his or her name shall appear in each row or column containing generally the names of candidates for other offices nominated by any such party.
(c) [If oueh eandidate has aloe-been nominated by one ox moxe independent bodieo, hio-or her name ohall appear only in each row-ox eolumn eontaining generally the names of candidateg fox other offiees nominated by any such paxty and the name of each such independent body shall appear in one sueh row or column to be designated by the candidate in a writing filed with the officer or board charged with the duty of providing ballots, or if suoh person chall fail to so-designate, the names of suoh independent bodies shall appear in suoh row or oolumn as suoh offieer or board shall determine-
(d) If any person shall be nominated for any offiee by one party and two-or mexe independent bodies hig-or hex name ohall appear on the woting machine twiee; onee in the fow or column eontaining generally the names of candidates for other offices nominated by sueh party, and onee in the row or column containing generally the names of eandidates nominated by the independent body designated by sueh person in a writing filed with the officer or boaxd charged with the duty of providing ballots and in eonneetion with the name of sueh person in sueh row or eolumn shall appear the name of each independent body nominating him or her or, if weh persen shall fail to so designate, the name of sueh eandidate and the names of oueh independent bodies ohall appear in oueh fow or column ag ouch officex or board ohall determine-
(e) If any pexoen io neminated fox any offiee only by mexe than one independent bodies, his or hex name shall appear but onee upon the machine in one weh row or column to be designated by the candidate in a writing filed with the officer or boaxd charged with the duty of providing ballots, or if the eandidate shall fail to so-designate, in the plaee designated by the offieer or boaxd ohzrged with the duty of providing ballots, and in oonneotion with his or her name there shall appear the name of each independent body nominating him or hex, but, where the eapaeity of the machine will pexmit, the name of oueh pexoon ohall not appeax or be plaeed in a eolum ox on a hoxizontal line with the names of persons nominated by a party for other offices] No person may be the candidate of more than one party or independent body for the same office, except judicial office.
§ 3. Subdivision 5 of section $7-104$ of the election law is REPEALED.
§ 4. This act shall take effect on the first of December next succeeding the date on which it shall have become a law.


[^0]:    EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

