

# STATE OF NEW YORK

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349--A

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

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Introduced by M. of A. PAULIN, GALEF, ABINANTI, BUCHWALD, PRETLOW, OTIS  
-- read once and referred to the Committee on Election Law -- committee  
discharged, bill amended, ordered reprinted as amended and recom-  
mitted to said committee

AN ACT to amend the election law, in relation to the filing of papers in  
the county of Westchester

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

1 Section 1. Subdivision 1 of section 1-106 of the election law, as  
2 amended by chapter 5 of the laws of 2019, is amended to read as follows:  
3 1. All papers required to be filed pursuant to the provisions of this  
4 chapter shall, unless otherwise provided, be filed between the hours of  
5 nine A.M. and five P.M. On the last day of filing in the county of  
6 Westchester, petitions of designation or nomination shall be filed  
7 between the hours of nine A.M. and midnight and such board of elections  
8 office shall be open to receive such petitions during the hours herein  
9 specified. If the last day for filing shall fall on a Saturday, Sunday  
10 or legal holiday, the next business day shall become the last day for  
11 filing. All papers sent by mail in an envelope postmarked prior to  
12 midnight of the last day of filing shall be deemed timely filed and  
13 accepted for filing when received, except that all certificates and  
14 petitions of designation or nomination, certificates of acceptance or  
15 declination of such designations or nominations, certificates of author-  
16 ization for such designations or nominations, certificates of disquali-  
17 fication, certificates of substitution for such designations or nomi-  
18 nations and objections and specifications of objections to such  
19 certificates and petitions required to be filed with the state board of  
20 elections or a board of elections outside of the city of New York shall  
21 be deemed timely filed and accepted for filing if sent by mail or over-  
22 night delivery service pursuant to subdivision three of this section,

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

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1 and received no later than two business days after the last day to file  
2 such certificates, petitions, objections or specifications. Failure of  
3 the post office or any other person or entity to deliver any such peti-  
4 tion, certificate or objection to such board of elections outside the  
5 city of New York no later than two business days after the last day to  
6 file such certificates, petitions, objections or specifications shall be  
7 a fatal defect. Excepted further that all certificates and petitions of  
8 designation or nomination, certificates of acceptance or declination of  
9 such designations and nominations, certificates of substitution for such  
10 designations or nominations and objections and specifications of  
11 objections to such certificates and petitions required to be filed with  
12 the board of elections of the city of New York must be actually received  
13 by such city board of elections on or before the last day to file any  
14 such petition, certificate or objection and such office shall be open  
15 for the receipt of such petitions, certificates and objections until  
16 midnight on the last day to file any such petition, certificate or  
17 objection. Failure of the post office or any other person or entity to  
18 deliver any such petition, certificate or objection to such city board  
19 of elections on or before such last day shall be a fatal defect.  
20 § 2. This act shall take effect immediately.