STATE OF NEW YORK

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7934

2019-2020 Regular Sessions

IN ASSEMBLY

May 28, 2019
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Introduced by M. of A. THIELE -- read once and referred to the Committee
    on Election Law

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 2 of the constitution, in relation to
    the establishment of an open primary system for all state and congres-
    sional elections

1   Section 1. Resolved (if the Senate concur), That article 2 of the
2 constitution be amended by adding a new section 10 to read as follows:
3   § 10. (a) A voter-nomination primary election shall be conducted to
4 select the candidates for congressional and state elective offices. All
5 voters may vote at a voter-nominated primary election for any candidate
6 for congressional and state elective office without regard to the poli-
7 tical party preference disclosed by the candidate or the voter, provided
8 that the voter is otherwise qualified to vote for candidates for the
9 office in question. The candidates who are the top two vote-getters at a
10 voter-nominated primary election for a congressional or state elective
11 office shall, regardless of party preference, compete in the ensuing
12 general election.
13   (b) The Legislature shall provide that candidates for such congres-
14 sional and state offices shall be placed on the ballot for voter-nomi-
15 nated primary election by petition in the manner provided by statute. A
16 candidate for a congressional or state elective office may have his or
17 her political party preference, or lack of political party preference,
18 indicated upon the ballot for the office in the manner provided by stat-
19 ute. A political party or party committee shall not nominate a candidate
20 for any congressional or state elective office at the voter-nominated
21 primary. This subdivision shall not be interpreted to prohibit a poli-
22 tical party of party committee from endorsing, supporting, or opposing
23 any candidate for a congressional or state elective office. A political
24 party or party committee shall not have the right to have its preferred
25 candidate participate in the general election for a voter-nominated

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

                                                LBD89136-01-9

1 **office other than a candidate who is one of the two highest vote-getters**
2 **at the primary election, as provided in subdivision (a) of this section.**
3 ** (c) The Legislature shall provide for partisan elections for political**
4 **party and party committees.**
5   § 2. Resolved (if the Senate concur), That the foregoing amendments be
6 referred to the first regular legislative session convening after the
7 next succeeding general election of members of the assembly, and, in
8 conformity with section 1 of article 19 of the constitution, be
9 published for 3 months previous to the time of such election.