STATE OF NEW YORK

1819--A

Cal. No. 423

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. DINOWITZ, GOTTFRIED, GALEF, CARROLL, FERNANDEZ, HEVESI, JACOBSON, L. ROSENTHAL, GLICK, ABINANTI, KELLES, SAYEGH -- Multi-Sponsored by -- M. of A. COOK, SIMON, WALCZYK -- read once and referred to the Committee on Election Law -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the election law, in relation to prohibition of state party names; and to repeal subdivision 4 of section 2-124 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 2 of section 2-124 of the election law, as amended by chapter 9 of the laws of 1978, is amended to read as follows:

2. The name of a party shall be in the English language and shall not include the words "American", "United States", "National", "New York State", **"Independence" or "Independent", or** "Empire State", or any abbreviation **or plural** thereof, nor the name or part of the name, or an abbreviation of the name, of an existing party. The emblem chosen may be a star, an animal, an anchor, or any other proper symbol, but may not be the same as or similar to any emblem, insignia, symbol or flag used by any political or governmental body, agency or entity nor any religious emblem, insignia, symbol or flag, nor the portrait of any person, nor the representation of a coin or of the currency of the United States. The name and emblem chosen shall not be similar to or likely to create confusion with the name or emblem of any other existing party or independent body.

§ 2. Subdivision 4 of section 2-124 of the election law is REPEALED.

§ 3. Any political party name or emblem in use on the effective date of this act which violates the provisions of section 2-124 of the election law as amended by this act shall be required to change such

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

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name or emblem to conform to such provisions, as amended, on or before January 1, 2023.

§ 4. This act shall take effect immediately; provided that sections one and two of this act shall take effect January 1, 2023.