STATE OF NEW YORK

5388

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

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

AN ACT providing for virtual witnessing of designating and nominating petitions; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Notwithstanding anything to the contrary in the election law or governor's executive order issued prior to the effective date of this act, the following provisions shall apply to all petitions for all nominations and elections for state, county, town or village public offices for public or party office to be filled at any election to be held in the year 2021 whether conducted by the county's board of elections or otherwise.

The relevant sections of the election law, in relation to designating and nominating petitions, are modified to the extent that, for any election for which petitions are required to be filed in the year 2021, signatures to petitions may be witnessed virtually and shall be accepted for filing provided that each petition page contains a Statement of Virtual Witness substantially in the following form bearing the original signature of the witness affixed to either (a) the original petition bearing the original signature of the witness, or (b) a copy of the original petition bearing the original signature of the signer which copy was transmitted to the witness by electronic means.

STATEMENT OF VIRTUAL WITNESS

I, _____state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____Party.
I now reside at _____.

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

LBD09338-01-1

I observed via audio-video technology each of the individuals whose names are subscribed to this petition sheet containing (fill in number) _____ signatures subscribe the same on the dates above indicated. The audio-video conference allowed for direct interaction between me and the signer and was not a pre-recorded video of the documents being signed. During the audio-video conference, the signer identified himself/herself to be the individual who signed this sheet, exhibited the signature on the petition to me and affirmatively stated that he/she was physically located within the State of New York. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

_____2021 _____

Date Signature of Witness

WITNESS IDENTIFICATION INFORMATION: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

_____ _____

Town or City Where Witness Resides County Where Witness Resides

Sheet No.__

§ 2. This act shall take effect immediately and shall expire January 31, 2022, when upon such date the provisions of this act shall be deemed repealed.