STATE OF NEW YORK

541

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

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

AN ACT to amend the election law, in relation to primary elections in the city of New York; and to repeal subdivision 5 of section 3-705 and subdivision 6 of section 3-709 of the administrative code of the city of New York relating to certain run-off elections in the city of New York

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

Section 1. Section 6-162 of the election law, as amended by chapter 424 of the laws of 2010, is amended to read as follows:

§ 6-162. [~~Primary; New York City, run-off. 1. In the city of New York, when no candidate for the office of mayor, public advocate or comptroller receives forty percent or more of the votes cast by the members of a political party for such office in a city-wide primary election, the board of elections of such city shall conduct a run-off primary election between the two candidates receiving the greatest number of votes for the same office.~~

~~2. In any jurisdiction that authorizes a run-off election after a primary election, if one of the two candidates receiving the greatest number of votes for the same office files with the local board of elections a certificate of withdrawal within three days following such primary election, the board shall accept and certify the withdrawal and declare the remaining candidate the winner and no such run-off primary election shall be held. Such certificate of withdrawal shall be in affidavit or affirmation form as determined by the state board of elections.~~] Instant run-off voting in New York city. Elections for municipal office in the city of New York shall use an "instant run-off" or "ranked choice" voting system, consistent with the provisions of the

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

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New York city charter and the administrative code of the city of New York.

§ 2. Subdivision 5 of section 3-705 of the administrative code of the city of New York is REPEALED.

§ 3. Subdivision 6 of section 3-709 of the administrative code of the city of New York is REPEALED.

§ 4. This act shall take effect immediately and shall apply to all municipal elections held in the city of New York on or after January 1, 2022.