# STATE OF NEW YORK

8183

2021-2022 Regular Sessions

# IN ASSEMBLY

August 25, 2021

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

AN ACT to amend the election law, in relation to authorizing parties without county committees to exercise certain party functions

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

Section 1. Subdivision 3 of section 6-120 of the election law, as amended by chapter 226 of the laws of 1982, is amended to read as follows:

3. The members of the party committee representing the political subdivision of the office for which a designation or nomination is to be made, unless the rules of the party provide for another committee, in which case the members of such other committee, [~~and except as hereinafter in this subdivision provided with respect to certain offices in the city of New York,~~] may, by a majority vote of those present at such meeting provided a quorum is present, authorize the designation or nomination of a person as candidate for any office who is not enrolled as a member of such party as provided in this section. [~~In~~] **Notwithstanding the foregoing, in** the event that such designation or nomination is **made by a party with county committees constituted in all five counties of the city of New York** for an office to be filled by all the voters of the city of New York, such authorization must be by a majority vote of those present at a joint meeting of the executive committees of each of the county committees of the party within the city of New York, provided a quorum is present at such meeting. The certificate of authorization shall be filed not later than four days after the last day to file the designating petition, certificate of nomination or certificate of substitution to which such authorization relates. The certificate of authorization shall be signed and acknowledged by the presiding officer and the secretary of the meeting at which such authorization was given.

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

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§ 2. Subdivision 2 of section 16-110 of the election law is amended to read as follows:

2. The [~~chairman~~] **chairperson** of the county committee of a party with which a voter is enrolled in such county **or such other person as may be designated by the rules of the party**, may, upon a written complaint by an enrolled member of such party in such county and after a hearing held by [~~him~~] **such person** or by a sub-committee appointed by [~~him~~] **such person** upon at least two days' notice to the voter, personally or by mail, determine that the voter is not in sympathy with the principles of such party. The Supreme Court or a justice thereof within the judicial district, in a proceeding instituted by a duly enrolled voter of the party at least ten days before a primary election, shall direct the enrollment of such voter to be cancelled if it appears from the proceedings before such [~~chairman~~] **person** or sub-committee, and other proofs, if any, presented, that such determination is just.

§ 3. This act shall take effect immediately.