

# STATE OF NEW YORK

8289

## IN SENATE

February 9, 2022

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to requiring a public hearing prior to the appointment of election commissioners

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

1 Section 1. Subdivision 4 of section 3-204 of the election law, as  
2 amended by chapter 116 of the laws of 2010, is amended to read as  
3 follows:

4 4. Commissioners of election shall be appointed by the county legisla-  
5 tive body, or in the city of New York, by the city council within thirty  
6 days following a public hearing. Provided, however, that if a legisla-  
7 tive body shall fail to appoint any person recommended by a party for  
8 appointment as a commissioner pursuant to this section, within [~~thirty~~]  
9 sixty days after the filing of a certificate of recommendation with such  
10 legislative body, then the members of such legislative body who are  
11 members of the political party which filed such certificate may appoint  
12 such person. And further provided, if there are no members of the legis-  
13 lative body who are members of the political party which filed such  
14 certificate, the appointment shall take effect upon the expiration of  
15 thirty days from the date that the certificate was filed. If none of the  
16 persons named in any of the certificates filed by a party are so  
17 appointed within sixty days after the filing of any such certificate,  
18 then such party may file another certificate within thirty days after  
19 the expiration of any such sixty day period recommending a different  
20 person for such appointment. If a party fails to file a certificate  
21 within the time prescribed by this section, the members of the legisla-  
22 tive body who are members of such party may appoint any eligible person  
23 to such office.

24 § 2. This act shall take effect immediately.

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

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