STATE OF NEW YORK

4364

2021-2022 Regular Sessions

IN ASSEMBLY

February 3, 2021

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

AN ACT to amend the election law, in relation to authorizing party designations and nominations for elections to be made via video conference; 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. Section 15-108 of the election law is amended by adding a new subdivision 11 to read as follows:

11. All party designations and nominations pursuant to this article, except for a primary election, may be made in whole or in part via video conference upon at least seventy-two hours notice to the members of the respective committee by mail, an appropriately titled email, text or telephone call at an address or number expressly provided in writing for the purpose of receiving such notices. Such notice must include instructions to participants on how to access the meeting by such video conference. Where the meeting is held in whole or in part via video conference, the presiding officer shall afford a fair and appropriate opportunity for persons eligible to attend to listen, hear, and be heard, in a manner similar to that which would be afforded if the meeting were held in person. Certificates of designation or nomination, minutes, authorizations and/or acceptances may be executed in separate acts by the signatories thereto and where acknowledgements or oaths are required, they may be performed or administered remotely and pursuant to executive order 202.7 of 2020 allowing notarizations to be performed using communication technology.

§ 2. Section 6-202 of the election law is amended by adding a new subdivision 6 to read as follows:

6. All party designations and nominations pursuant to this title, except for a primary election, may be made in whole or in part via video

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

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conference upon at least seventy-two hours notice to the members of the respective committee by mail, an appropriately titled email, text or telephone call at an address or number expressly provided in writing for the purpose of receiving such notices. Such notice must include instructions to participants on how to access the meeting by such video conference. Where the meeting is held in whole or in part via video conference, the presiding officer shall afford a fair and appropriate opportunity for persons eligible to attend to listen, hear, and be heard, in a manner similar to that which would be afforded if the meeting were held in person. Certificates of designation or nomination, minutes, authorizations and/or acceptances may be executed in separate acts by the signatories thereto and where acknowledgements or oaths are required, they may be performed or administered remotely and pursuant to executive order 202.7 of 2020 allowing notarizations to be performed using communication technology.

§ 3. Section 6-100 of the election law is amended to read as follows:

§ 6-100. Nominations and designations; generally. 1. Nomination and designation of candidates for election to public office or party position are governed by this article.

2. All party designations and nominations, except for a primary election, may be made at a meeting held in whole or in part via video conference upon at least seventy-two hours notice to the members of the respective committee by mail, an appropriately titled email, text or telephone call at an address or number expressly provided in writing for the purpose of receiving such notices. Such notice must include instructions to participants on how to access the meeting by such video conference. Where the meeting is held in whole or in part via video conference, the presiding officer shall afford a fair and appropriate opportunity for persons eligible to attend to listen, hear, and be heard, in a manner similar to that which would be afforded if the meeting were held in person. Certificates of designation or nomination, minutes, authorizations and/or acceptances may be executed in separate acts by the signatories thereto and where acknowledgements or oaths are required, they may be performed or administered remotely and pursuant to executive order 202.7 allowing notarizations to be performed using communication technology.

3. Notwithstanding any provisions of law or a party's rules to the contrary, proxy voting at any party caucus, party meeting or party convention held pursuant to this chapter held in the year two thousand twenty-one shall be permitted. Except where a greater number is permitted by a party committee's rules, any person eligible to attend and vote at such a meeting may hold up to ten proxies. A proxy statement may be in the form prescribed by the party's rule or as accepted in the past by the party entity or may be substantially as follows: "I, a member or eligible voter of (state name of party caucus, party meeting or party convention), do hereby give my proxy authorization to (state name of proxy holder) who shall be authorized to vote in my stead at the meeting to be held on (date) and any adjourned date thereof." Any proxy granted hereunder shall be revocable in a writing provided to the secretary or chair of the party entity or by the attendance of the proxy grantor at the meeting.

§ 4. This act shall take effect immediately and shall expire and be deemed repealed December 31, 2021.