

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:

1 Section 1. Section 6-162 of the election law, as amended by chapter
2 424 of the laws of 2010, is amended to read as follows:

3 § 6-162. [~~Primary, New York City, run-off. 1. In the city of New York,~~
4 ~~when no candidate for the office of mayor, public advocate or comp-~~
5 ~~troller receives forty percent or more of the votes cast by the members~~
6 ~~of a political party for such office in a city wide primary election,~~
7 ~~the board of elections of such city shall conduct a run-off primary~~
8 ~~election between the two candidates receiving the greatest number of~~
9 ~~votes for the same office.~~

10 2. ~~In any jurisdiction that authorizes a run-off election after a~~
11 ~~primary election, if one of the two candidates receiving the greatest~~
12 ~~number of votes for the same office files with the local board of~~
13 ~~elections a certificate of withdrawal within three days following such~~
14 ~~primary election, the board shall accept and certify the withdrawal and~~
15 ~~declare the remaining candidate the winner and no such run-off primary~~
16 ~~election shall be held. Such certificate of withdrawal shall be in affi-~~
17 ~~davit or affirmation form as determined by the state board of~~
18 ~~elections.] Instant run-off voting in New York city. Elections for~~
19 municipal office in the city of New York shall use an "instant run-off"
20 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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1 New York city charter and the administrative code of the city of New
2 York.

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4 city of New York is REPEALED.

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6 city of New York is REPEALED.

7 § 4. This act shall take effect immediately and shall apply to all
8 municipal elections held in the city of New York on or after January 1,
9 2022.