

STATE OF NEW YORK

1705--A

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to authorizing party designations and nominations for elections to be made via video teleconference or web 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:

1 Section 1. Section 15-108 of the election law is amended by adding a
2 new subdivision 11 to read as follows:

3 11. In addition to any manner of nomination or designation under this
4 section, all party designations and nominations pursuant to this article
5 may also be made via audio teleconference or web conference upon notice
6 to the members of the respective committee by mail, email, text or tele-
7 phone call at least seventy-two hours before such meeting. Such notice
8 must include instructions to participants on how to access the meeting
9 by such video or teleconference. Nominations or designations pursuant
10 to this subdivision shall also be published, posted, and otherwise
11 noticed in accordance with such requirements in this section. Certif-
12 icates of designation or nomination, minutes, authorizations and/or
13 acceptances may be executed in separate acts by the signatories thereto
14 and where acknowledgements or oaths are required, they may be performed
15 or administered remotely and pursuant to executive order 202.7 of 2020
16 allowing notarizations to be performed using communication technology.

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

19 6. In addition to any manner of nomination or designation under this
20 section, all party designations and nominations pursuant to this title
21 may also be made via audio teleconference or web conference upon notice

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

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1 to the members of the respective committee by mail, email, text or tele-
2 phone call at least seventy-two hours before such meeting. Such notice
3 must include instructions to participants on how to access the meeting
4 by such video or teleconference. Nominations or designations pursuant
5 to this subdivision shall also be published, posted, and otherwise
6 noticed in accordance with such requirements in this section. Certifi-
7 icates of designation or nomination, minutes, authorizations and/or
8 acceptances may be executed in separate acts by the signatories ther-
9 eto and where acknowledgements or oaths are required, they may be
10 performed or administered remotely and pursuant to executive order
11 202.7 of 2020 allowing notarizations to be performed using communication
12 technology.

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

14 § 6-100. Nominations and designations; generally. 1. Nomination and
15 designation of candidates for election to public office or party posi-
16 tion are governed by this article.

17 2. All party designations and nominations, except for a primary
18 election, may be made at a meeting held in whole or in part via web
19 conference or audio teleconference upon at least seventy-two hours
20 notice to the members of the respective committee by mail, email, text
21 or telephone call. Such notice must include instructions to participants
22 on how to access the meeting by such video or teleconference. Certifi-
23 icates of designation or nomination, minutes, authorizations and/or
24 acceptances may be executed in separate acts by the signatories there-
25 to and where acknowledgements or oaths are required, they may be
26 performed or administered remotely and pursuant to executive order
27 202.7 allowing notarizations to be performed using communication tech-
28 nology.

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

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