

STATE OF NEW YORK

1851--A

Cal. No. 1316

2021-2022 Regular Sessions

IN SENATE

January 16, 2021

Introduced by Sens. SKOUFIS, BIAGGI, BROUK, KRUEGER, LIU, MAY, MAYER, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the election law, in relation to prohibition of state party names; and to repeal subdivision 4 of section 2-124 of such law relating thereto

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

1 Section 1. Subdivision 2 of section 2-124 of the election law, as
2 amended by chapter 9 of the laws of 1978, is amended to read as follows:
3 2. The name of a party shall be in the English language and shall not
4 include the words "American", "United States", "National", "New York
5 State", "Independence" or "Independent", or "Empire State", or any
6 abbreviation or plural thereof, nor the name or part of the name, or an
7 abbreviation of the name, of an existing party. The emblem chosen may
8 be a star, an animal, an anchor, or any other proper symbol, but may not
9 be the same as or similar to any emblem, insignia, symbol or flag used
10 by any political or governmental body, agency or entity nor any reli-
11 gious emblem, insignia, symbol or flag, nor the portrait of any person,
12 nor the representation of a coin or of the currency of the United
13 States. The name and emblem chosen shall not be similar to or likely to
14 create confusion with the name or emblem of any other existing party or
15 independent body.
16 § 2. Subdivision 4 of section 2-124 of the election law is REPEALED.
17 § 3. Any political party name or emblem in use on the effective date
18 of this act which violates the provisions of section 2-124 of the
19 election law as amended by this act shall be required to change such

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

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1 name or emblem to conform to such provisions, as amended, on or before
2 January 1, 2023.

3 § 4. This act shall take effect immediately; provided that sections
4 one and two of this act shall take effect January 1, 2023.