STATE OF NEW YORK

253--A

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to certain party nominations for candidates for county office

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

Section 1. The election law is amended by adding a new section 6-109 to read as follows:

§ 6-109. Party nominations; counties, excluding counties located within cities with a population of one million or more. 1. Party designation of a candidate for nomination in counties, excluding counties located within a city with a population of one million or more, for any office to be filled by the voters of the entire county shall be made by the county committee, if the party rules of such county so provide.

2. The county committee shall make such designation by majority vote. The person receiving the majority vote shall be the party's designated candidate for nomination and all other persons who shall have received twenty-five percent or more of the vote cast on any ballot shall have the right to make written demand, duly acknowledged, to the county board of elections that their names appear on the primary ballot as candidates for such nomination. Such demand shall be made not later than seven days after such meeting and may be withdrawn in the same manner within fourteen days after such meeting. Upon the vote for such designation, each member of the county committee shall be entitled to cast a number of votes which shall be in accordance with the ratio which the number of votes for the party candidate for governor on the line or column of the party at the last preceding general state election in the unit of representation such member represents bears to the total vote cast on such line or column at such election for such candidate for governor in the

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

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entire county. The apportionment of such votes as so prescribed shall be determined by the rules of the party.

3. Enrolled members of the party may make other designations by petition for a member of the same party.

4. The meeting of the county committee for the purpose of designating candidates shall be held not earlier than twenty-one days before the first day to sign designating petitions and not later than the first day to sign designating petitions for the primary election.

5. Within four days after such meeting, the county committee shall file with the county board of elections:

(a) the names of the persons who have received the designation of the county committee and the offices for which designated; and

(b) the names of the persons selected by the committee to fill vacancies or a certified copy of the party rule empowering such committee to fill vacancies.

6. No person may be designated by a county committee for more than one office pursuant to the provisions of this section.

7. Party designation of a candidate for any office contained within a county shall be designated by the county committee members representing the political subdivision of such office, if the party rules of such county so provide.

8. A candidate for office from a district which crosses county lines shall be designated by the county committee members from such district if the rules of the county committees of each such county shall all so provide.

§ 2. This act shall take effect immediately and shall apply to all applicable elections held on or after such date.