STATE OF NEW YORK

2736--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 27, 2023

Introduced by M. of A. PAULIN, LAVINE, L. ROSENTHAL, DICKENS, SEAWRIGHT, COLTON, GALLAGHER, BURDICK, KELLES, SAYEGH, WOERNER, SEPTIMO, SIMON -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to providing for the declination of a designation as a candidate or nomination for a party position under special circumstances

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

Section 1. Paragraph (c) of subdivision 7 of section 6-146 of the election law, as added by chapter 178 of the laws of 2022, is amended and two new paragraphs (d) and (e) are added to read as follows:

(c) where the person so nominated or designated has been convicted of one or more misdemeanors or felonies under state or federal law at any time after such person's designation or nomination[~~.~~]**; or**

(d) where the person so nominated or designated has received a diagnosis of a serious health condition at any time after such person's designation or nomination. For the purposes of this section, the term "serious health condition" shall be defined as an illness, injury, impairment, or physical or mental condition, including transplantation preparation and recovery from surgery related to organ or tissue donation, that involves inpatient care in a hospital, hospice, or residential health care facility, continuing treatment or continuing supervision by a health care provider. Continuing supervision by a health care provider includes a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective where

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

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the family member is under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or

(e) where the person so nominated or designated has resigned the office for which they are nominated or designated to run for re-election, for any reason, at any time after such person's designation or nomination.

§ 2. This act shall take effect immediately.