

# STATE OF NEW YORK

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9162

## IN ASSEMBLY

February 8, 2024

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Introduced by M. of A. GALLAGHER -- read once and referred to the  
Committee on Election Law

AN ACT to amend the election law, in relation to the removal of an  
election commissioner

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

1 Section 1. Subdivision 7 of section 3-200 of the election law is  
2 amended to read as follows:

3 7. An election commissioner may be removed from office by the governor  
4 [~~for cause in the same manner as a sheriff~~] or by affirmative vote of a  
5 majority of commissioners of the state board of elections for incompe-  
6 tence, misconduct, or other good cause, provided that prior to removal,  
7 such election commissioner shall be given a written copy of the charges  
8 against him or her and have an opportunity to be heard in his or her  
9 defense. Any vacancy so resulting shall be filled in a manner prescribed  
10 by this article for filling vacancies.

11 § 2. This act shall take effect immediately.

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

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