

STATE OF NEW YORK

638

2023-2024 Regular Sessions

IN SENATE

January 5, 2023

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to the text of proposed constitutional amendments and questions

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

1 Section 1. Paragraphs a and d of subdivision 1 and subdivisions 2 and
2 3 of section 4-108 of the election law, paragraph d of subdivision 1 and
3 subdivision 2 as amended by chapter 136 of the laws of 1978, and subdivi-
4 sion 3 as added by chapter 234 of the laws of 1976, are amended to
5 read as follows:

6 a. Whenever any proposed amendment to the constitution or other ques-
7 tion provided by law to be submitted to a statewide vote shall be
8 submitted to the people for their approval, the state board of elections
9 at least three months prior to the general election at which such amend-
10 ment, proposition or question is to be submitted, shall (i) transmit to
11 each county board of elections a certified copy of the text of each
12 amendment, proposition or question and a statement of the form in which
13 it is to be submitted; and (ii) publish a copy of the text of each
14 amendment, proposition or question and a statement of the form in which
15 it is to be submitted on the state board of elections website until the
16 day after the general election of that particular year.

17 d. In addition to the text, as required under paragraph a of this
18 subdivision, such transmittal shall contain an abstract of such proposed
19 amendment, proposition or question, [~~prepared by the state board of~~
20 ~~elections~~] concisely stating the purpose and effect thereof in a clear
21 and coherent manner using words with common and everyday meanings.

22 2. The form in which the proposed amendment, proposition or question
23 is to be submitted shall consist of only an abbreviated title indicating
24 generally and briefly, and in a clear, unbiased and coherent manner
25 using words with common and [~~every-day~~] everyday meanings, the subject

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

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1 matter of the amendment, proposition or question. If more than one such
2 amendment, proposition or question is to be voted upon at such election,
3 each such amendment, proposition or question respectively shall be sepa-
4 rately and consecutively numbered.

5 3. The attorney general shall [~~advise in the preparation of~~] prepare
6 and deliver such abstract and such form of submission, as required under
7 paragraphs a and d of subdivision one of this section, to the state
8 board of elections at least four months prior to the general election at
9 which such amendment, proposition or question is to be submitted.

10 § 2. This act shall take effect one year after it shall have become a
11 law.