

# STATE OF NEW YORK

8446

## IN SENATE

January 30, 2024

Introduced by Sen. BRESLIN -- 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 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:

- 1 Section 1. The election law is amended by adding a new section 6-109  
2 to read as follows:
- 3 § 6-109. Party nominations; counties, excluding counties located with-  
4 in cities with a population of one million or more. 1. Party designation  
5 of a candidate for nomination in counties, excluding counties located  
6 within a city with a population of one million or more, for any office  
7 to be filled by the voters of the entire county shall be made by the  
8 county committee, if the party rules of such county so provide.
- 9 2. The county committee shall make such designation by majority vote.  
10 The person receiving the majority vote shall be the party's designated  
11 candidate for nomination and all other persons who shall have received  
12 twenty-five percent or more of the vote cast on any ballot shall have  
13 the right to make written demand, duly acknowledged, to the county board  
14 of elections that their names appear on the primary ballot as candidates  
15 for such nomination. Such demand shall be made not later than seven days  
16 after such meeting and may be withdrawn in the same manner within four-  
17 teen days after such meeting. Upon the vote for such designation, each  
18 member of the county committee shall be entitled to cast a number of  
19 votes which shall be in accordance with the ratio which the number of  
20 votes for the party candidate for governor on the line or column of the  
21 party at the last preceding general state election in the unit of repre-  
22 sentation such member represents bears to the total vote cast on such  
23 line or column at such election for such candidate for governor in the  
24 entire county. The apportionment of such votes as so prescribed shall be  
25 determined by the rules of the party.
- 26 3. Enrolled members of the party may make other designations by peti-  
27 tion for a member of the same party.

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

LBD00314-03-4

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

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

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

9 (b) the names of the persons selected by the committee to fill vacan-  
10 cies or a certified copy of the party rule empowering such committee to  
11 fill vacancies.

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

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

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

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