

STATE OF NEW YORK

11622

IN ASSEMBLY

July 29, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Burke) --
read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to requiring the
filling of elective positions be done publicly and transparently

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

1 Section 1. Section 42 of the public officers law is amended by adding
2 a new subdivision 6 to read as follows:

3 6. The officer or officers or the body or board of officers authorized
4 to fill a vacancy in an elective office, when filling a vacancy in an
5 elective office shall:

6 (a) provide notice of such vacancy in an elective office to the
7 persons who would be eligible to vote in an election for such elective
8 office which shall include information on applying for such elective
9 office.

10 (b) accept applications for such elective office for no less than two
11 weeks following such notice being provided under paragraph (a) of this
12 subdivision.

13 (c) conduct public interviews.

14 (d) publicly disclose the names and qualification of all applicants
15 and other persons under consideration for such elective office.

16 (e) in a meeting open to the public:

17 (i) discuss the basis for the selection of a candidate for such elec-
18 tive office; and

19 (ii) provide candidates for such elective office the ability to
20 address such officer or officers or the body or board of officers and
21 the public.

22 (f) at a meeting open to the public subsequent to the meeting required
23 under paragraph (e) of this subdivision, hold a vote to fill such vacan-
24 cy in such elective office.

25 § 2. Section 105 of the public officers law is amended by adding a new
26 subdivision 3 to read as follows:

27 3. Notwithstanding any contrary provision of law, consideration of
28 matters relating to the filling by appointment of a vacancy in an elec-

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

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1 tive office, including but not limited to interviews of applicants for
2 appointment to fill such vacancy, any discussions or deliberations
3 regarding any such appointment, and any vote on an appointment to fill
4 such vacancy, shall be conducted in a meeting open to the public and
5 shall not be conducted in an executive session.

6 § 3. This act shall take effect immediately.