

STATE OF NEW YORK

3161

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

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

AN ACT to amend the election law, in relation to prohibiting election
commissioners and deputy election commissioners from holding a public-
ly elected office

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

1 Section 1. Subdivision 4 of section 3-200 of the election law, as
2 amended by chapter 195 of the laws of 2003, is amended to read as
3 follows:

4 4. No person [~~shall be~~] appointed as election commissioner or deputy
5 election commissioner shall continue to hold office who is not a regis-
6 tered voter in the county and not an enrolled member of the party recom-
7 mending [~~his~~] their appointment, or who is the chair of the respective
8 democratic or republican party or committee in such county or who holds
9 any other public office, except that of commissioner of deeds, notary
10 public, [~~village officer, city or town justice,~~] member of a community
11 board within the city of New York or trustee or officer of a school
12 district outside of a city; provided, however, that the provision of
13 this subdivision prohibiting an election commissioner or deputy election
14 commissioner from continuing to hold office who is the chair of the
15 respective democratic or republican party or committee in such county
16 shall not apply to any person currently serving as election commissioner
17 or deputy election commissioner.

18 § 2. Subdivision 6 of section 3-200 of the election law is amended to
19 read as follows:

20 6. An election commissioner or deputy election commissioner shall not
21 be a candidate for any elective office which [~~he~~] they would not be
22 entitled to hold under the provisions of this article, unless [~~he has~~]
23 they have ceased by resignation or otherwise, to be commissioner or
24 deputy commissioner prior to [~~his~~] their nomination or designation
25 therefor. Otherwise such nomination or designation shall be null and
26 void.

27 § 3. 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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