

# STATE OF NEW YORK

1649--A

2025-2026 Regular Sessions

## IN SENATE

January 13, 2025

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to primary election voting ballots in cities with a population of one million or more as of the latest federal decennial census

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

1 Section 1. Section 7-116 of the election law is amended by adding a  
2 new subdivision 6-a to read as follows:

3 6-a. Notwithstanding the provisions of subdivision six of this  
4 section, in cities with a population of one million or more as of the  
5 latest federal decennial census, the ballot on the voting machine for  
6 primary elections shall conform to the following additional provisions:

7 The names of the candidates designated for such public office or party  
8 position in the primary of a party shall be placed under the title of  
9 the office or position in the alphabetical order of their surnames, in  
10 the first or lowest numbered assembly district and election district of  
11 any political unit or subdivision within a county. If candidates'  
12 surnames are identical, their given or first name shall determine their  
13 order. Thereafter the names shall be rotated by election districts by  
14 transposing the first named candidate to the bottom of the order at each  
15 succeeding election district, so that each name shall appear first and  
16 in each other position in an equal number, as nearly as possible, of the  
17 election districts and except, further, that where two or more candi-  
18 dates are to be elected to the same party position, the names of candi-  
19 dates for such a position which appear on the same designating petition  
20 shall be grouped together on the ballot in the order in which their  
21 names appear on the designating petition and the group rotated alphabet-  
22 ically in relation to other groups or individual candidates according to

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

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1 the surname of the first person on the designating petition of such  
2 group. Groups of candidates for delegate and alternate delegate, and  
3 groups of candidates for male and female delegate and male and female  
4 alternate delegate to the same convention designated on the same peti-  
5 tion shall be rotated together alphabetically in relation to other  
6 groups or individual candidates according to the surname of the first  
7 person listed on such designating petition in the group of candidates  
8 for whichever of such delegate or alternate delegate positions will  
9 appear first on the voting machine. If the rules of a party committee  
10 provide for equal representation of the sexes among the members of a  
11 state committee elected from each unit of representation, elections for  
12 male and female members of such a committee from a single unit of repre-  
13 sentation shall be conducted as elections for two different party posi-  
14 tions. Notwithstanding the provisions of this paragraph, if the board  
15 of elections has assigned numbers to the candidates for an office or  
16 position because of identical or similar names among such candidates,  
17 the names of such candidates shall be placed under the title of such  
18 office or position in the order of such numbers in such first or lowest  
19 numbered district, and the names shall not be rotated by election  
20 district. Such names shall appear in the identical order on each ballot  
21 in each election district.

22 County committee candidates or groups of candidates shall be printed  
23 within the first election district of each assembly district or part  
24 thereof, according to the priority of filing of designating petitions  
25 and they shall then be rotated by election district by placing the  
26 candidate or group of candidates designated in the same petition as the  
27 candidate or group of candidates which was printed first in an election  
28 district at the bottom of the order in the next succeeding election  
29 district in which a candidate or group of candidates designated in such  
30 petition appears on the ballot.

31 In cases where a name is added to or removed from the ballot by court  
32 order too late to make a complete adjustment to these requirements  
33 feasible, the name may be added at the bottom of the list of candidates  
34 in all election districts, or removed from the ballot in all election  
35 districts without changing the previously arranged order of other names  
36 and without invalidating the election. Any inadvertent error in the  
37 order of names discovered too late to correct the order of the names on  
38 the ballots concerned shall not invalidate an election.

39 Except where a contest or candidate is removed from the ballot by  
40 court order too late to make complete compliance with this paragraph  
41 feasible, the title of each public office or party position and the  
42 names of the candidates for such office or position appearing on any  
43 voting machine used for primary elections in cities with a population of  
44 one million or more as of the latest federal decennial census shall  
45 appear on such machine immediately adjacent to one another, either  
46 horizontally or vertically; and no blank spaces shall separate the names  
47 of candidates actually running for an office or party position on such  
48 voting machine, and no blank spaces shall separate any two such offices  
49 or positions which appear on such voting machine in the same column or  
50 row.

51 § 2. Subdivision 3 of section 7-118 of the election law, as separately  
52 amended by chapters 410 and 411 of the laws of 2019, is amended to read  
53 as follows:

54 3. Sample ballots may be mailed by the board of elections to each  
55 eligible voter at least three days before the election, or in lieu ther-  
56 eof, a copy of such sample ballot may be published at least once within

1 one week preceding the election in newspapers or on a website maintained  
2 by the board of elections. In cities with a population of one million  
3 or more as of the latest federal decennial census, for primary  
4 elections, the board of elections shall, not later than fifteen days  
5 prior to the first day of early voting for such primary election, notify  
6 each candidate for whom a designation has been filed with such board for  
7 an office or position to be voted on at such primary, by mail or elec-  
8 tronic correspondence, of the availability on the board's website of all  
9 versions of sample ballots applicable to the office or position sought  
10 by such candidate. Such sample ballots shall reflect the order of names  
11 as determined pursuant to section 7-116 of this title. This notification  
12 shall also state that a complete set of printed sample ballots reflect-  
13 ing all applicable versions for that candidate will be provided by the  
14 board upon request. The board of elections shall ensure that all such  
15 versions of sample ballots are accessible on its website. Each county  
16 board of elections shall transmit electronically in a format to be  
17 determined by the state board of elections, as it is available, a copy  
18 of the candidate and contest information contained on each of its ballot  
19 styles to the state board of elections. The state board shall create a  
20 system to allow such information to be made publicly available via its  
21 website, as well as the website of any county board of elections, and in  
22 such a way as to be accessible with a computer screen-reading program.  
23 § 3. This act shall take effect on the thirtieth day after it shall  
24 have become a law and shall apply to elections occurring on and after  
25 such date.