

# STATE OF NEW YORK

7427

2025-2026 Regular Sessions

## IN SENATE

April 16, 2025

Introduced by Sen. HOYLMAN-SIGAL -- 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 authorizing the board of elections to alter the presidential ballot

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

1 Section 1. Section 4-110 of the election law, as amended by chapter 5  
2 of the laws of 2019, is amended to read as follows:

3 § 4-110. Certification of primary election candidates; state board of  
4 elections. 1. The state board of elections, not later than fifty-five  
5 days before a primary election, shall certify to each county board of  
6 elections: The name and residence of each candidate to be voted for  
7 within the political subdivision of such board for whom a designation  
8 has been filed with the state board; the title of the office or position  
9 for which the candidate is designated; the name of the party upon whose  
10 primary ballot [~~his or her~~] the candidate's name is to be placed; and  
11 the order in which the names of the candidates are to be printed as  
12 determined by the state board. Where an office or position is uncon-  
13 tested, such certification shall state such fact.

14 2. Notwithstanding subdivision one of this section, a candidate for  
15 whom a designation has been filed who has been found by the state board  
16 of elections to have engaged in insurrection or rebellion against the  
17 United States, or given aid or comfort to the enemies thereof, shall not  
18 be so certified, unless the United States Congress, by a vote of two-  
19 thirds of each house, has removed such disability. For purposes of such  
20 determination, where the state board of elections is unable to reach a  
21 finding, the question shall, within twenty-four hours, be referred to  
22 the office of the attorney general by the co-executive directors of the  
23 state board of elections for a formal opinion, which, absent a contrary  
24 order by a court of competent jurisdiction, shall be conclusive of the  
25 inquiry.

26 § 2. 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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