

STATE OF NEW YORK

4384--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to deadlines for filing nominating petitions for small city school board elections

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

1 Section 1. Subdivisions 1 and 2 of section 2608 of the education law,
2 subdivision 1 as amended by chapter 273 of the laws of 1987 and subdivi-
3 sion 2 as amended by chapter 502 of the laws of 1974, are amended to
4 read as follows:
5 1. Candidates for members of the board of education in a city school
6 district shall be nominated by petition directed to the board of educa-
7 tion and signed by at least one hundred persons qualified to vote at
8 school elections in such district. Such petition shall contain the names
9 and residences of the candidates for the vacancies in the board of
10 education to be filled at the annual election. Where a proposition has
11 been adopted by the voters of such district to require that each vacancy
12 on the board of education to be filled shall be considered a separate
13 specific office, a separate petition shall be required to nominate a
14 candidate to each separate office and such petition shall describe the
15 specific vacancy on the board of education for which the candidate is
16 nominated, which description shall include at least the length of the
17 term of office and the name of the last incumbent, if any. Such
18 petitions shall be filed in the office of the clerk of the board of
19 education between the hours of nine a.m. and five p.m., on or before the
20 [~~twentieth~~] thirtieth day preceding the day of the annual election. The
21 clerk shall refuse to accept petitions signed by an insufficient number

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

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1 of qualified voters, or petitions which are not timely. If a candidate
2 for whom a nominating petition for the office of member of a board of
3 education has been duly filed withdraws such petition, dies or becomes
4 otherwise ineligible to hold such office at a time which is later than
5 fifteen days before the last day for the filing of nominating petitions
6 as provided in this subdivision, the time for filing nominating
7 petitions for such office shall be extended to five p.m. on the
8 fifteenth day after the date on which the candidate withdrew, died or
9 otherwise became ineligible to hold such office, provided that no such
10 nominating petition may be filed after five p.m. on the seventh day
11 preceding the election.

12 2. The board of education shall cause to be printed official ballots
13 containing the names of all candidates as above provided, except that
14 the board may refuse to have the names of ineligible candidates placed
15 on such ballots. The names of the candidates shall be arranged in the
16 order as determined by the drawing by lot in accordance with the
17 provisions of paragraph b of subdivision two of section two thousand
18 thirty-two of this ~~law~~ title. Blank spaces shall be provided so that
19 voters may vote for candidates who have not been nominated for the
20 offices to be filled at such elections. The form of such ballots shall
21 conform substantially to the form of ballots used at general elections
22 as prescribed in the election law. Such ballots shall be printed at the
23 expense of the city school district.

24 § 2. Paragraph b of subdivision 2 of section 2032 of the education
25 law, as amended by chapter 502 of the laws of 1974, is amended to read
26 as follows:

27 b. The names of all candidates for each separate specific office shall
28 be grouped together and at the top of each group shall be placed a
29 description of the separate specific office for which such candidates
30 are nominated, which description shall include at least the length of
31 the term of office and the name of the last incumbent, if any, and in
32 addition a direction that only one vote may be cast in each separate
33 group. The names of the candidates for each separate specific office
34 shall be listed in the order as determined by a drawing by lot. Such
35 drawing shall be conducted by the clerk of the board of education and
36 shall be held the day after the last possible date for candidates to
37 file a petition. In the event that any candidate is not present in
38 person or by a person designated in a written proxy to accomplish the
39 drawing, the district clerk shall be authorized to act as proxy. In any
40 district where a proposition has been adopted pursuant to ~~paragraph~~
41 subdivision b of section two thousand eighteen of this title, the names
42 of all candidates for vacancies upon the board of education shall be
43 arranged according to lot as prescribed in this section, and a direction
44 shall be made that as many candidates may be voted for as there are
45 vacancies to be filled.

46 § 3. This act shall take effect on the first of July next succeeding
47 the date on which it shall have become a law.