§ 6-146. Nomination and designation; declination or acceptance. 1. A person designated as a candidate for nomination or for party position, or nominated for an office, otherwise than at a primary election, may, in a certificate signed and acknowledged by him, and filed as provided in this article, decline the designation or nomination; provided, however, that, if designated or nominated for a public office other than a judicial office by a party of which he is not a duly enrolled member, or if designated or nominated for a public office other than a judicial office by more than one party or independent body or by an independent body alone, such person shall, in a certificate signed and acknowledged by him, and filed as provided in this article, accept the designation or nomination as a candidate of each such party or independent body other than that of the party of which he is an enrolled member, otherwise such designation or nomination shall be null and void.

2. If any designation or nomination is declined, the officer or board to whom or which notification thereof is given shall forthwith inform by mail or otherwise the committee authorized to fill the vacancy, that the designation or nomination has been declined, and if such declination is filed with the state board of elections after such board has given official notice, pursuant to the provisions of this chapter, to the several boards of elections that the name of the candidate filing such declination is to appear on a ballot, such board also shall give immediate notice by mail or otherwise that such designation or nomination has been declined, to the several boards of elections which prepare the official ballots for election districts affected by such declination.

3. When a person who was not designated for nomination at a primary election receives a nomination for public office at such primary election, the officer or board with whom or which a designating petition for such an office is required to be filed shall forthwith notify, by mail, such person of his nomination, and that he must decline or accept such nomination in writing as hereinafter provided.

4. A person nominated without designation for public office at a primary election may decline such nomination. A person so nominated for

public office by a party of which he is not a duly enrolled member, must decline or accept such nomination, otherwise such nomination shall be null and void. Such declinations or acceptances must be filed not later than five days after the mailing of notification of such nomination by such officer or board. If the nomination is declined the vacancy may be filled not later than three days after such declination shall have been filed in the office of the officer or board.

5. A person who has been nominated for public office by a party or parties and who is thereafter nominated for another office by one or more of such parties, or who is thereafter nominated by the party to fill a vacancy caused by such nomination or nominations to fill a vacancy by the party, may decline such first nomination or nominations not later than the third day after the filing of the certificate of his nomination or nominations for such other office, but such a declination shall not be effective if such other nomination or nominations by the party is duly declined.

6. A person designated as a candidate for two or more party nominations for an office to be filled at the time of a general election who is not nominated at a primary election by one or more such parties may decline the nomination of one or more parties not later than ten days after the primary election.

7. A person designated as a candidate for nomination or for party position, or nominated for an office, may, in a certificate signed and acknowledged by such person and filed no later than the last day to certify the ballot pursuant to section 4-110 or section 4-112 of this chapter, decline the designation or nomination under the following circumstances:

(a) where the person so nominated or designated has been arrested or charged with one or more misdemeanors or felonies by the filing of an accusatory instrument in a state court at any time after such person's designation or nomination; or

(b) where the person so nominated or designated has been arrested or charged with one or more misdemeanors or felonies by the filing of a criminal complaint, information or indictment in federal court at any

time after such person's designation or nomination; or

(c) where the person so nominated or designated has been convicted of one or more misdemeanors or felonies under state or federal law at any time after such person's designation or nomination.

8. In the case of a joint designation or joint nomination for the offices of governor and lieutenant governor made pursuant to this article, a declination filed by either candidate shall only constitute a declination by the declining candidate and shall create a vacancy in such joint designation or joint nomination. A vacancy in the joint designation or joint nomination for the offices of governor and lieutenant governor shall be filled in accordance with the provisions for filling vacancies in section 6-148 of this article.