

GOVERNOR'S PROGRAM BILL

2011

MEMORANDUM

AN ACT to amend the election law, in relation to the conducting of the presidential primary and the election of delegates and alternate delegates to a national party convention or conference

Purpose:

This bill would amend certain provisions of the Election Law to schedule the presidential primary election for April 24, 2012, provide for the political parties' statutory options for the election of delegates and alternate delegates to their respective national party conventions, and ensure the State's compliance with the federal MOVE Act, which requires that ballots be transmitted to overseas and military voters at least 45 days before such election.

Summary of Provisions:

Section 1 of the bill would amend subdivision 1 of section 8-100 of the Election Law to provide for the presidential primary on April 24, 2012.

Section 2 provides that the state committees of each of the political parties shall select either section three or section four of this act to elect presidential delegates for nomination of the parties' respective presidential candidates.

Sections 3 and 4 would amend the Election Law by adding new sections 2-122-a and 2-122-b, respectively, that would provide for two different nomination processes involving the election of delegates and alternate delegates and the rules attendant to such election.

Section 5 would amend section 6-158 of the Election Law to add a new subdivision 1-a to provide that designating petitions filed for a presidential primary election shall be filed between the twelfth Monday and eleventh Thursday before such election.

Section 6 would amend section 4-110 of the Election Law to provide that the state board of elections shall certify the candidates for a presidential primary election at least 54 days before such an election.

Section 7 would amend section 4-114 of the Election Law to provide that county boards of elections shall determine the candidates for a presidential primary election at least 53 days before such election.

Section 8 would amend subdivision 1 of section 10-108 of the Election Law to provide that ballots for military voters shall be transmitted to such voters at least 45 days before a presidential primary election.

Section 9 would amend subdivision 4 of section 11-204 of the Election Law to provide that special federal ballots shall be transmitted to overseas voters at least 45 days before a presidential primary election.

Section 10 is the separability clause.

Section 11 provides for the effective date.

Statement in Support:

This bill establishes the process by which the Democratic Party and the Republican Party in New York State shall conduct their respective presidential primary elections in 2012. It further amends the law to ensure that New York State complies with the federal MOVE Act by requiring that ballots be transmitted to military and overseas voters at least 45 days before such an election.

Budget Implications:

This legislation is not expected to have any impact on the budget.

Effective Date:

This act shall take effect immediately, and shall expire on December 31, 2012.