

PROGRAM BILL # 4

S. _____
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

_____ A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

PUBOFFLA

(Provides for time frames within
certain actions must be taken relat-
ing to elections, special elections
and military ballots)

Pub Off. elections; time frames

AN ACT

to amend the public officers law and
the election law, in relation to
time frames within certain actions
must be taken

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

s20 Adams	s44 Farley	s58 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s55 Alesi	s08 Fuschillo	s26 Krueger	s53 O'Mara	s51 Seward
s11 Avella	s59 Gallivan	s27 Kruger	s37 Oppenheimer	s09 Skelos
s40 Ball	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffo	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranzenhofer	s35 Stewart- Cousins
s50 DeFrancisco	s06 Hannon	s45 Little	s48 Ritchie	s49 Valesky
s32 Diaz	s36 Hassell- Thompson	s05 Marcellino	s33 Rivera	s57 Young
s17 Dilan	s10 Huntley	s07 Martins	s56 Robach	s03 Zeldin
s29 Duane	s04 Johnson	s62 Maziarz	s41 Saland	
s31 Espallat		s43 McDonald	s19 Sampson	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a107 Crouch	a042 Jacobs	a102 Miller, J.	a067 Rosenthal
a092 Abinanti	a014 Curran	a095 Jaffee	a038 Miller, M.	a118 Russell
a105 Amedore	a063 Cusick	a057 Jeffries	a052 Millman	a012 Saladino
a084 Arroyo	a045 Cymbrowitz	a135 Johns	a103 Molinaro	a113 Sayward
a035 Aubry	a034 DenDekker	a112 Jordan	a015 Montesano	a029 Scarborough
a124 Barclay	a116 Destito	a099 Katz	a132 Morelle	a016 Schimel
a040 Barron	a081 Dinowitz	a074 Kavanagh	a039 Moya	a140 Schimminger
a082 Benedetto	a114 Duprey	a065 Kellner	a003 Murray	a145 Schroeder
a073 Bing	a004 Englebright	a129 Kolb	a037 Nolan	a064 Silver
a122 Blankenbush	a071 Farrell	a025 Lancman	a128 Oaks	a036 Simotas
a055 Boyland	a123 Finch	a091 Latimer	a069 O'Donnell	a146 Swardz
a008 Boyle	a007 Fitzpatrick	a013 Lavine	a051 Ortiz	a093 Spano
a026 Braunstein	a137 Friend	a050 Lentol	a136 Palmesano	a079 Stevenson
a044 Brennan	a143 Gabryszak	a125 Lifton	a088 Paulin	a011 Sweeney
a131 Bronson	a090 Galef	a072 Linares	a141 Peoples- Stokes	a110 Tedisco
a046 Brook-Krasny	a133 Gantt	a127 Lopez, P.	a058 Perry	a115 Tenney
a147 Buriing	a077 Gibson	a053 Lopez, V.	a023 Pheffer	a002 Thiele
a117 Butler	a149 Giglio	a001 Losquadro	a023 Pheffer	a061 Titone
a101 Cahill	a066 Glick	a126 Lupardo	a087 Pretlow	a031 Titus
a096 Calhoun	a150 Goodell	a111 Magee	a021 Ra	a062 Tobacco
a043 Camara	a075 Gottfried	a120 Magnarelli	a097 Rabbitt	a054 Towns
a106 Canestrari	a005 Graf	a059 Maisel	a009 Raia	a041 Weinstein
a089 Castelli	a098 Gunther	a060 Malliotakis	a006 Ramos	a020 Weisenberg
a086 Castro	a130 Hanna	a030 Markey	a134 Reilich	a024 Weprin
a138 Ceretto	a139 Hawley	a027 Mayersohn	a109 Reilly	a070 Wright
a033 Clark	a148 Hayes	a019 McDonough	a078 Rivera, J.	a094 Zebrowski
a047 Colton	a083 Heastie	a104 McNeny	a080 Rivera, N.	a100
a010 Conte	a028 Hevesi	a017 McKeVitt	a076 Rivera, P.	
a032 Cook	a048 Hinkind	a108 McLaughlin	a119 Roberts	
a142 Corwin	a018 Hooper	a022 Meng	a056 Robinson	
a085 Crespo	a144 Hoyt	a121 Miller, D.	a068 Rodriguez	

1) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. Subdivision 3 of section 42 of the public officers law, as
2 amended by chapter 105 of the laws of 1943, is amended to read as
3 follows:

4 3. Upon the failure to elect to any office, except that of governor or
5 lieutenant-governor, at a general or special election, at which such
6 office is authorized to be filled, or upon the death or disqualification
7 of a person elected to office before the commencement of his or her
8 official term, or upon the occurrence of a vacancy in any elective
9 office which cannot be filled by appointment for a period extending to
10 or beyond the next general election at which a person may be elected
11 thereto, the governor may in his or her discretion make proclamation of
12 a special election to fill such office, specifying the district or coun-
13 ty in which the election is to be held, and the day thereof, which shall
14 be not less than [thirty] seventy nor more than [forty] eighty days from
15 the date of the proclamation.

16 § 2. Subdivision 1 of section 4-112 of the election law, as amended by
17 chapter 434 of the laws of 1984, is amended to read as follows:

18 1. The state board of elections not later than thirty-six days before
19 a general election, or [thirteen] fifty-three days before a special
20 election, shall certify to each county board of elections the name and
21 residence of each candidate nominated in any valid certificate filed
22 with it or by the returns canvassed by it, the title of the office for
23 which nominated; the name of the party or body specified of which he is
24 a candidate; the emblem chosen to distinguish the candidates of the
25 party or body; and a notation as to whether or not any litigation is
26 pending concerning the candidacy. Upon the completion of any such liti-
27 gation, the state board of elections shall forthwith notify the appro-
28 priate county boards of elections of the results of such litigation.

1 § 3. Section 4-114 of the election law, as amended by chapter 434 of
2 the laws of 1984, is amended to read as follows:

3 § 4-114. Determination of candidates and questions; county board of
4 elections. The county board of elections, not later than the thirty-
5 fifth day before the day of a primary or general election, or the
6 [twelfth] fifty-third day before a special election, shall determine the
7 candidates duly nominated for public office and the questions that shall
8 appear on the ballot within the jurisdiction of that board of elections.

9 § 4. The second undesignated paragraph of section 9-214 of the
10 election law, as amended by chapter 234 of the laws of 1976, is amended
11 to read as follows:

12 The board of elections shall transmit to the secretary of state within
13 twenty-five days after a general election, and within [ten] twenty days
14 after a special election, a list of the names and residences of all
15 persons determined by the canvassing board to be elected to any county
16 office.

17 § 5. Paragraph (a) of subdivision 1 of section 10-108 of the election
18 law, as amended by chapter 104 of the laws of 2010, is amended to read
19 as follows:

20 (a) Ballots for military voters shall be mailed or otherwise distrib-
21 uted by the board of elections, in accordance with the preferred method
22 of transmission designated by the voter pursuant to section 10-107 of
23 this article, as soon as practicable but in any event not later than
24 thirty-two days before a primary or general election; twenty-five days
25 before a New York city community school board district or city of
26 Buffalo school district election; fourteen days before a village
27 election conducted by the board of elections; and [twelve] forty-five
28 days before a special election. A voter who submits a military ballot

1 application shall be entitled to a military ballot thereafter for each
2 subsequent election through and including the next two regularly sched-
3 uled general elections held in even numbered years, including any run-
4 offs which may occur; provided, however, such application shall not be
5 valid for any election held within seven days after its receipt. Ballots
6 shall also be mailed to any qualified military voter who is already
7 registered and who requests such military ballot from such board of
8 elections in a letter, which is signed by the voter and received by the
9 board of elections not later than the seventh day before the election
10 for which the ballot is requested and which states the address where the
11 voter is registered and the address to which the ballot is to be mailed.
12 The board of elections shall enclose with such ballot a form of applica-
13 tion for military ballot. In the case of a primary election, the board
14 shall deliver only the ballot of the party with which the military voter
15 is enrolled according to the military voter's registration records. In
16 the event a primary election is uncontested in the military voter's
17 election district for all offices or positions except the party position
18 of member of the ward, town, city or county committee, no ballot shall
19 be delivered to such military voter for such election; and the military
20 voter shall be advised of the reason why he or she will not receive a
21 ballot.

22 § 6. Subdivision 4 of section 11-204 of the election law, as amended
23 by chapter 104 of the laws of 2010, is amended to read as follows:

24 4. If the board of elections shall determine that the applicant making
25 the application provided for in this section is qualified to receive and
26 vote a special federal ballot, it shall, as soon as practicable after it
27 shall have so determined, or not later than thirty-two days before each
28 general or primary election and [twelve] forty-five days before each

1 special election in which such applicant is qualified to vote, or three
2 days after receipt of such an application, whichever is later, mail to
3 him or her at the residence address outside the United States shown in
4 his or her application, a special federal ballot, an inner affirmation
5 envelope and an outer envelope, or otherwise distribute same to the
6 voter in accordance with the preferred method of transmission designated
7 by the voter pursuant to section 11-203 of this title. The board of
8 elections shall also mail, or otherwise distribute in accordance with
9 the preferred method of transmission designated by the voter pursuant to
10 section 11-203 of this title, a special federal ballot to every quali-
11 fied special federal voter who is already registered and who requests
12 such special federal ballot from such board of elections in a letter,
13 which is signed by the voter and received by the board of elections not
14 later than the seventh day before the election for which the ballot is
15 first requested and which states the address where the voter is regis-
16 tered and the address to which the ballot is to be mailed. The board of
17 elections shall enclose with such ballot a form of application for a
18 special federal ballot.

19 § 7. This act shall take effect immediately.