



**Board of  
Elections**

# **Running for Elective Office In New York State**

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## **Version History**

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January 6, 2020 – Added reference to online forms. Some formatting corrections

**NOTE:** The information contained here is intended to provide guidance for those who are preparing to circulate petitions and is not to be used as a substitute for consulting the Election Law for specific petition requirements.

Electronic versions of forms described in this document can be found on the “Running for Office” page of New York State Board of Elections’ website, located at <https://www.elections.ny.gov/RunningOffice.html>.

Please refer to the official Political Calendar as published on the New York State Board of Elections’ website, located at <https://www.elections.ny.gov>, for all filing dates.

Additional information may be obtained by calling the New York State Board of Elections at (518) 474-6220 or your county board of elections.

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## Requirements to Hold Federal and State Offices

Office	U.S. Citizenship	Age	Residency	Statute
President of the United States	Born a Citizen	35 years	14 years in country	U.S. Constitution Art. II § 1
U.S. Senator	Citizen 9 years	30 years	Resident of State when elected	U.S. Constitution Art. I § 2
NYS Governor  NYS Lt. Governor  NYS Attorney General  NYS Comptroller	Citizen	30 years	Resident of State 5 years immediately preceding election	NYS Constitution Art. IV § 2 and Art. V § 1
Representative in Congress	Citizen 7 years	25 years	Resident of State when elected	U.S. Constitution Art. I § 3
NYS Senator  NYS Assembly	Citizen	18 years	Resident of state for 5 years and resident of district for 12 months immediately preceding election. (In a redistricting year, may be a resident of county for 12 months immediately preceding the election)	NYS Constitution Art. III § 7  Public Officers Law § 3

## **General Information on Petitions**

NOTE: The information contained here is intended to provide guidance for those who are preparing to circulate petitions and is not to be used as a substitute for consulting the Election Law for specific petition requirements.

Persons wishing to run for elective office may be nominated either by a political party or through the filing of an independent nominating petition. Party members may also circulate petitions to create the opportunity to write in the name of an unspecified person for an office in which there is no contest for the party endorsement. The current political parties are; Democratic, Republican, Conservative, Working Families, Green, Libertarian, Independence and SAM parties. Any person who is not nominated by one of these parties must file an independent nominating petition. The requirements for all petitions are contained in Article 6 of the New York State Election Law. The provisions for village elections vary slightly, and the reader is directed to Article 15 of the New York State Election Law for specifics.

### **Party Nominations**

Party nomination of candidates for elective office is made at either a party caucus or at a primary election.

#### *Caucuses*

A caucus is an open meeting of a town or village's political party at which candidates are nominated for elective office. Only residents of the town or village who are enrolled members of the party may participate in the caucus. For further information on caucuses see New York State Election Law § 6-108 (towns), § 6-202 and § 15-108. (village elections)

#### *Designating Petitions*

If a party nominates its candidates through the primary election process, party designations for this primary are made on a designating petition. The New York State Election Law sets forth the form of this petition; § 6-132 (state, county and town offices), § 6-204 and § 15-108 (village elections). Only enrolled members of a party qualified to vote for an office may sign designating petitions of the party.

#### *Nomination of Non-Party Members*

Political parties may nominate a candidate who is not an enrolled member of the political party. Such parties must file a certificate of authorization, signed and acknowledged by the presiding officer and the secretary of the meeting at which the authorization is given. A certificate of authorization is not needed for nominations resulting from a caucus or for a candidate for a judicial office. Candidates not enrolled in the party nominating them must file an acceptance.

## **Independent Nominations**

To run for office on a line other than an official party line, one must file an independent nominating petition. The New York State Election Law sets forth the form of this petition; § 6-140 (state, county and town offices), § 6-206 and § 15-108 (village elections). Any registered voter who has not already signed a designating petition, and who is qualified to vote for an office, may sign an independent nominating petition for that office. For Village offices if you participated in a caucus, you cannot sign an independent nominating petition.

## **Form of Petitions**

The statute requires that all petitions be substantially in the form set forth in the law. See New York State Election Law § 6-132 (party designating petitions for state, county and town offices), § 6-140 (independent nominating petitions for state, county and town offices), § 6-206 (independent nominating petitions for village offices administered by a County Board of Elections) and § 6-204, § 6-206 and § 15-108 (village petitions). Deviations or slight rearrangements of the form of petition are not fatal defects, provided that the petition contains all of the required information.

Each sheet of the petition must correctly set forth:

- the date of the election;
- the name of the candidate and the office or position sought, including district number, if any;
- the candidate's residence, and if different, their mailing or post office address;
- information about the signer: date of signing, voter's residence address, town or city; and,
- information relating to the person who witnesses the signatures.

A designating or independent nominating petition may include a committee on vacancies. Failure to provide such a committee, or naming a committee of fewer than three persons, will not invalidate the petition.

An opportunity to ballot petition must include a committee to receive notices. All individuals appointed to serve on such a committee must also file a certificate of acceptance.

The voter need only sign the appropriate line on the petition sheet. All other information may be filled in by someone else. Corrections may be made to any information on the signature line. However, corrections or alterations in the date or signature MUST be initialed by the person making the correction.

Voters may not sign a petition for more candidates than there are openings for an office. For example, if there is one council seat open, then the voter may only sign one petition for a

candidate for that office. If there are 2 seats open, the voter may sign petitions for 2 candidates.

The pages of a petition must be sequentially numbered and securely fastened.

### **Witnesses to a Petition**

The information required for the witness statement is mandatory. Omissions, errors, or unexplained alterations/corrections, may invalidate the entire page. When the witness signs the statement of witness, they are making an oath that subjects them to the penalties for perjury if any of the information preceding their signature is false. The information preceding the signature includes the name and residence of the witness; the number of signatures on the page; a statement that each person signed in their presence; and the date they are signing the statement. Witness identification information, which follows the witness's signature, may be provided by anyone, at any time before the petition is filed. This information includes the town or city; and the county of the witness's registration.

#### *Witness to Party Designating Petition*

A person is eligible be a witness to a designating petition if the person is:

- a qualified voter of the state, and
- enrolled in the same party as the persons qualified to sign the designating petition, and
- has not previously signed any petition for another candidate for the same office.

#### *Witness to Independent Nominating Petition*

A person is eligible be a witness to an independent nominating petition if the person is:

- a duly qualified voter of the state, and
- has not previously signed any petition for another candidate for the same office.

### **Cover Sheets**

If there are 10 or more pages in a petition, there must be a cover sheet. In New York City, and in other counties where identification numbers are used, only one cover sheet is required, regardless of the number of volumes in the petition. In all other instances, a multi-volume petition requires a cover sheet for each volume.

Cover sheets must contain the following information:

- Name, residence address, and mail address if different, of the candidate.
- The public office or party position sought, including district number, if any.

- The name of the party or independent body making the nomination.
- A statement that the petition contains a number of signatures equal to or in excess of the number required by statute.
- The volume number OR identification number of that volume.
- The total number of volumes in each petition OR the identification number of each volume of the petition.

The following information is optional:

- The name, residence address, (and mailing address if different) telephone number, fax number and email address of the person designated to receive notice of deficiencies in binding or cover sheet requirements.
- For candidates for Governor, Lieutenant Governor, Attorney General, State Comptroller, Member of State Assembly or Member of State Senate: such candidates may notify the State Board of Elections of her or his campaign website address on the cover page of the petition or in a separate piece of correspondence. The State Board will publish such addresses on its website prior to the election. See New York State Election Law § 4-123.

There are additional requirements if the petition contains candidates for county committee, and if there are different candidates on the several pages of the petition. Those requirements are contained in Part 6215 of the rules and regulations of the State Board of Elections.

Pursuant to Part 6215 of the rules and regulations of the State Board of Elections, the Board will provide notice of any correctable errors in cover sheet(s) and binding.

#### **Filing of Petitions, Acceptances, Authorizations, Declinations and Substitutions**

All filings must be filed timely and filed in the proper manner at the appropriate board of elections. Pursuant to section 1-106(1) of the New York State Election Law, all papers are required to be filed between the hours of nine A.M. and five P.M. If the last day for filing shall fall on a Saturday, Sunday or legal holiday, the next business day shall become the last day for filing.

Except where otherwise required to be “received by” a date certain, all certificates and petitions of designation or nomination, certificates of acceptance or declination of such designations or nominations, certificates of authorization for such designations or nominations, certificates of disqualification, certificates of substitution for such designations or nominations and objections and specifications of objections to such certificates and petitions required to be filed with the State Board of Elections or a board of elections outside of the City of New York shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service, in an envelope postmarked or showing receipt by the overnight delivery service prior to midnight of the last day of filing, and received no later than two business days after the last day

to file such petitions, certificates, objections or specifications shall be a fatal defect. See New York State Election Law § 1-106.

Within NYC: all such certificates, petitions and specifications of objections required to be filed with the Board of Elections of the City of New York must be actually received on or before the last day to file. The New York City Board of Elections is open for the receipt of such petitions, certificates and objections until midnight on the last day to file.

Failure to timely file documents shall be a fatal defect.

No filings will be accepted by facsimile or e-mail.

Candidates must file a certificate of acceptance for nominations made by independent nominating petitions, or if they are named in a designating petition but are not enrolled members of that party. Neither an authorization nor an acceptance is required if the individual is a candidate for a judicial office. All individuals appointed to a Committee to Receive Notices on an Opportunity to Ballot petition must also file a certificate of acceptance.

### **Declinations and Substitutions**

A declination must be filed should the candidate decide not to accept the designation or nomination. A certificate of declination of a designation shall be filed not later than the fourth day after the last day to file such designation. A certificate to fill a vacancy (substitution) in a designation caused by declination shall be filed not later than the fourth day after the last day to decline. See Election Law § 6-148 for more information on filling vacancies in a designation or nomination.

### **Objections**

Every petition is presumed to be valid when filed, if, on its face, it appears to be in proper form and to contain enough signatures. However, a registered voter may challenge the validity of a petition. Written objections must be filed within 3 days after the petition is filed (1 day in a village election). Specifications of objections must be filed within 6 days of filing the general objections (2 days in a village election). For petitions filed with the State Board of Elections, objectors must deliver a copy of the specifications of objections to the candidate and file proof of such delivery with the State Board. For further details see Election Law § 6-154 and §15-108 and Part 6204 of the rules and regulations of the State Board of Elections.

## **Running for President**

### *Independent Candidates*

An independent candidate for president is someone who is running on a line other than an official party line. Petitions for independent candidates must include the names of the presidential and vice-presidential candidates, as well as the names of person(s) running for the electoral college. Each state is permitted to have one elector for each representative in Congress (27 U.S. House of Representatives and 2 U.S. Senators).

The requirement for signatures for an independent nominating petition for candidates to be voted for by all of the voters of the state must contain 45,000 signatures or one percent of the total number of votes, excluding blank and void ballots, cast for the office of Governor at the last gubernatorial election, whichever is less, with at least 500 signatures or one percent of enrolled voters, whichever is less, coming from each of one-half of the congressional districts in the state. *See Effective January 1, 2020, Part V Recommendations of Public Financing Commission.* Each candidate named in an independent petition for president is required to file an acknowledged acceptance of the nomination no later than the third day after the last day to file the petition. {Election Law §6-146(1)}

If there are 10 or more pages in a petition, there must be a cover sheet. A multi-volume petition requires a cover sheet for each volume. Cover sheets must contain the following information:

- Name, residence address, and mailing address if different, of the candidate.
- Office sought.
- Name and emblem of the independent body making the nomination.
- A statement that the petition contains a number of signatures equal to or in excess of the number required by statute.
- The volume number of that volume.
- The total number of volumes in the petition.

Additional information on cover sheets is contained in Part 6215 of the rules and regulations of the State Board of Elections.

### *Write-In Candidates*

To run as a write-in candidate for president, you are required to file a certificate of candidacy with the State Board of Elections no later than the third Tuesday prior to the general election. The certificate must be signed by the presidential candidate and must contain the following information:

- Name and address of the presidential candidate.
- Name and address of any vice-presidential candidate, and a signed certificate of acceptance from such candidate.
- Name and address of at least one elector, with an acceptance certificate and pledge of support signed by each such candidate for elector.

See Election Law §6-153 for further information.

## Petition Signature Requirements

### Designating and Opportunity to Ballot Petitions, (§6-136)

5% of the enrolled voters of the political unit (excluding voters in inactive status) or the following, whichever is less:

For any office to be filled by all the voters of:

the entire state (with at least 100 or 5% of enrolled voters from each of one-half of the congressional districts)	15,000
New York City	7,500
any county or borough of New York City	4,000
a municipal court district within New York City	1,500
any city council district within New York City	900
cities or counties having more than 250,000 inhabitants	2,000
cities or counties having more than 25,000 but not more than 250,000	1,000
any other city, county, councilman or county legislative district other than New York City	500
any congressional district	1,250
any state senatorial district	1,000
any assembly district	500

any political subdivision, except as herein provided, contained within another political subdivision, requirement is not to exceed the number required for the larger subdivision;

a political subdivision containing more than one assembly district, county or other political subdivision, requirement is not to exceed the aggregate of the signatures required for the subdivision or parts of subdivision so contained.

For Village offices refer to sections 6-204 and 15-108 of the New York State Election Law.

For any party position of member of the ward, town, city or county committee, such petitions must be signed by not less than three per centum of the then enrolled voters of the party residing within the election district for which such position is to be voted (excluding voters in inactive status).

NOTE: Section 1057-b of the New York City Charter supersedes New York Election Law signature requirements for Designating and OTB petitions and Independent nominating petitions with respect to certain New York City offices.

Any of the above numbers may be changed by legislation in any given year.

Check with the State or County Board of Elections for current requirements.

### **Independent Petitions, (§6-142)**

The requirement for signatures for an independent nominating petition for candidates to be voted for by all of the voters of the state must contain 45,000 signatures or one percent of the total number of votes, excluding blank and void ballots, cast for the office of Governor at the last gubernatorial election, whichever is less, with at least 500 signatures or one percent of enrolled voters, whichever is less, coming from each of one-half of the congressional districts in the state. See Effective January 1, 2020, Part V Recommendations of Public Financing Commission. Each candidate named in an independent petition president is required to file an acknowledged acceptance of the nomination no later than the third day after the last day to file the petition. {Election Law §6-146(1)}

In political subdivisions smaller than the entire state, the requirement for signatures for an independent nominating petition must contain 5% of the total number of votes, excluding blank and void, cast for the office of governor at the last gubernatorial election in such unit, except that not more than 3,500 signatures shall be required on a petition for any office to be filled in any political subdivision wholly outside the City of New York, and not more than the following for any office to be voted for by all the voters of:

the entire state (with at least 500 from each of one-half of the congressional districts)	45,000
any county or portion thereof outside the city of New York	1,500
New York City	7,500
any county or borough or any two counties or boroughs within the City of New York	4,000
any municipal court district	3,000
any city council district in New York City	2,700
any congressional district	3,500
any state senatorial district	3,000
any assembly district	1,500

any political subdivision, contained within another, except as provided otherwise herein, the number required is not to exceed the number required for the larger subdivision.

For Village offices refer to sections 6-206 and 15-108 of the New York State Election Law.

\*NOTE: Section 1057-b of the New York City Charter supersedes New York Election Law signature requirements for Designating and OTB petitions and Independent nominating petitions with respect to certain New York City offices.

Any of the above numbers may be changed by legislation in any given year.

Check with the State or County Board of Elections for current requirements.

## **Where to File Petitions**

Public Office Only

### **Congressional Districts**

- 1 - Suffolk Co. Board of Elections
- 2 & 3 - State Board of Elections
- 4 - Nassau Co. Board of Elections
- 5 - State Board of Elections
- 6 thru 15 - New York City Board of Elections
- 16 thru 24 - State Board of Elections
- 25 - Monroe Co. Board of Elections
- 26 & 27 - State Board of Elections

### **Senatorial Districts**

- 1 thru 4 - Suffolk Co. Board of Elections
- 5 - State Board of Elections
- 6 & 7 - Nassau Co. Board of Elections
- 8 - State Board of Elections
- 9 - Nassau Co. Board of Elections
- 10 thru 33 - New York City Board of Elections
- 34 - State Board of Elections
- 35 - Westchester Co. Board Elections
- 36 - State Board of Elections
- 37 - Westchester Co. Board Elections
- 38 thru 55 - State Board of Elections
- 56 - Monroe Co. Board of Elections
- 57 thru 59 - State Board of Elections
- 60 - Erie Co. Board of Elections
- 61 & 62 - State Board of Elections
- 63 - Erie Co. Board of Elections

## **Assembly Districts**

1 thru 8	-	Suffolk Co. Board of Elections
9	-	State Board of Elections
10 thru 12	-	Suffolk Co. Board of Elections
13 thru 22	-	Nassau Co. Board of Elections
23 thru 87	-	New York City Board of Elections
88 thru 93	-	Westchester Board of Elections
94 & 95	-	State Board of Elections
96 & 97	-	Rockland Board of Elections
98 thru 104	-	State Board of Elections
105	-	Dutchess Co. Board of Elections
106 thru 108	-	State Board of Elections
109	-	Albany Co. Board of Elections
110 thru 122	-	State Board of Elections
123	-	Broome Co. Board of Elections
124 thru 126	-	State Board of Elections
127 thru 129	-	Onondaga Board of Elections
130 thru 133	-	State Board of Elections
134 thru 138	-	Monroe Co. Board of Elections
139 & 140	-	State Board of Elections
141 thru 143	-	Erie Co. Board of Elections
144 thru 148	-	State Board of Elections
149	-	Erie Co. Board of Elections
150	-	Chautauqua Board of Elections

For all other offices contact your County Board of Elections

## **Member of State Committee**

**Democratic, Republican, Independence and Green** Party State Committee petitions are filed with the county boards of elections.

**Conservative and Working Families Party** State Committee petitions are filed in the same manner as those for the office of Representative in Congress (see chart for Congressional).

**Libertarian and SAM Party** State Committee petitions are filed in the same manner as those filed for Justice of the Supreme Court.

**Republican** State Committee elections are held at the primary in odd numbered years. All other parties elect state committee at the primary in even numbered years.

To run for any party position such as member of state committee, national or judicial delegate or alternate, you must be a duly enrolled member of the party from which you are seeking the designation. You also must be a resident of the jurisdiction from which you are running.

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The office of judicial delegate and alternate judicial delegate are elected at the primary. (National delegate and alternate national delegate are elected at a specially scheduled primary, held in a presidential election year).

#### **Judicial District Convention Delegate and/or Alternate Delegate**

First Judicial District	New York County
Second Judicial District	Kings County
Eleventh Judicial District	Queens County
Twelfth Judicial District	Bronx County
Thirteenth Judicial District	Richmond County

All petitions and nominations for the above judicial district delegates and alternate delegates are filed at the New York City Board of Elections

NOTE: The following chart for Judicial Delegates and Alternate Delegates applies ONLY to **Democratic, Independence, Conservative, Working Families, Green, Libertarian and SAM** Party candidates.

**Republican** Party candidates for this office file their petitions in the county which contains their portion of the assembly district.

*Third Judicial District*

Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan and Ulster

100 <sup>th</sup> AD	Sullivan County Board of Elections
101 <sup>st</sup> AD	State Board of Elections
102 <sup>nd</sup> AD	State Board of Elections
103 <sup>rd</sup> AD	Ulster County Board of Elections
104 <sup>th</sup> AD	Ulster County Board of Elections
106 <sup>th</sup> AD	Columbia County Board of Elections
107 <sup>th</sup> AD	State Board of Elections
108 <sup>th</sup> AD	State Board of Elections
109 <sup>th</sup> AD	Albany County Board of Elections
110 <sup>th</sup> AD	Albany County Board of Elections
111 <sup>th</sup> AD	Albany County Board of Elections

*Fourth Judicial District*

Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, St. Lawrence, Saratoga, Schenectady, Warren & Washington

107 <sup>th</sup> AD	Washington County Board of Elections
108 <sup>th</sup> AD	Saratoga County Board of Elections
110 <sup>th</sup> AD	Schenectady County Board of Elections
111 <sup>th</sup> AD	State Board of Elections
112 <sup>th</sup> AD	State Board of Elections
113 <sup>th</sup> AD	State Board of Elections
114 <sup>th</sup> AD	State Board of Elections
115 <sup>th</sup> AD	State Board of Elections
116 <sup>th</sup> AD	St. Lawrence County Board of Elections
117 <sup>th</sup> AD	St. Lawrence County Board of Elections
118 <sup>th</sup> AD	State Board of Elections

*Fifth Judicial District*

Herkimer, Jefferson, Lewis, Oneida, Onondaga, & Oswego

101 <sup>st</sup> AD	State Board of Elections
116 <sup>th</sup> AD	Jefferson County Board of Elections
117 <sup>th</sup> AD	State Board of Elections
118 <sup>th</sup> AD	State Board of Elections
119 <sup>th</sup> AD	State Board of Elections
120 <sup>th</sup> AD	State Board of Elections
121 <sup>st</sup> AD	Oneida County Board of Elections
126 <sup>th</sup> AD	Onondaga County Board of Elections
127 <sup>th</sup> AD	Onondaga County Board of Elections
128 <sup>th</sup> AD	Onondaga County Board of Elections
129 <sup>th</sup> AD	Onondaga County Board of Elections
130 <sup>th</sup> AD	Oswego County Board of Elections

*Sixth Judicial District*

Broome, Chemung, Chenango, Cortland, Delaware, Madison, Otsego, Schuyler, Tioga & Tompkins

101 <sup>st</sup> AD	State Board of Elections
102 <sup>nd</sup> AD	State Board of Elections
121 <sup>st</sup> AD	State Board of Elections
122 <sup>nd</sup> AD	State Board of Elections
123 <sup>rd</sup> AD	Broome County Board of Elections
124 <sup>th</sup> AD	State Board of Elections
125 <sup>th</sup> AD	State Board of Elections
126 <sup>th</sup> AD	State Board of Elections
132 <sup>nd</sup> AD	State Board of Elections

*Seventh Judicial District*

Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne & Yates

126 <sup>th</sup> AD	Cayuga County Board of Elections
130 <sup>th</sup> AD	State Board of Elections
131 <sup>th</sup> AD	State Board of Elections
132 <sup>nd</sup> AD	State Board of Elections
133 <sup>rd</sup> AD	State Board of Elections
134 <sup>th</sup> thru 139 <sup>th</sup> AD	Monroe County Board of Elections
148 <sup>th</sup> AD	Steuben County Board of Elections

*Eighth Judicial District*

Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans & Wyoming

139 <sup>th</sup> AD	State Board of Elections
140 <sup>th</sup> AD	State Board of Elections
141 <sup>st</sup> thru 143 <sup>rd</sup> AD	Erie County Board of Elections
144 <sup>th</sup> AD	State Board of Elections
145 <sup>th</sup> AD	State Board of Elections
146 <sup>th</sup> AD	State Board of Elections
147 <sup>th</sup> AD	State Board of Elections
148 <sup>th</sup> AD	State Board of Elections
149 <sup>th</sup> AD	Erie County Board of Elections
150 <sup>th</sup> AD	Chautauqua County Board of Elections

*Ninth Judicial District*

Dutchess, Orange, Putnam, Rockland & Westchester

88 <sup>th</sup> thru 93 <sup>rd</sup> AD	Westchester County Board of Elections
94 <sup>th</sup> AD	State Board of Elections
95 <sup>th</sup> AD	State Board of Elections
96 <sup>th</sup> & 97 <sup>th</sup> AD	Rockland County Board of Elections
98 <sup>th</sup> AD	State Board of Elections
99 <sup>th</sup> AD	State Board of Elections
100 <sup>th</sup> & 101 <sup>st</sup> AD	Orange County Board of Elections
103 <sup>rd</sup>	Dutchess County Board of Elections
104 <sup>th</sup> AD	State Board of Elections
105 <sup>th</sup> & 106 <sup>th</sup> AD	Dutchess County Board of Elections

*Tenth Judicial District*

Nassau & Suffolk

1 <sup>st</sup> thru 8 <sup>th</sup> AD	Suffolk County Board of Elections
9 <sup>th</sup> AD	State Board of Elections
10 <sup>th</sup> thru 12 <sup>th</sup> AD	Suffolk County Board of Elections
13 <sup>th</sup> thru 22 <sup>nd</sup> AD	Nassau County Board of Elections

## **Pertinent Rules & Regulations of the NY State Board of Elections**

Title 9, Subtitle 5, NYCRR

### **§ 6201.2 Use of Public Opinion Polls**

No candidate, political party or committee shall attempt to promote the success or defeat of a candidate by directly or indirectly disclosing or causing to be disclosed the results of a poll relating to a candidate for such an office or position, unless within 48 hours after such disclosure, they provide the following information concerning the poll to the board or officer with whom statements or copies of statements of campaign receipts and expenditures are required to be filed by the candidate to whom such poll relates:

- a. The name of the person, party or organization that contracted for or who commissioned the poll and/or paid for it.
- b. The name and address of the organization that conducted the poll.
- c. The numerical size of the total poll sample, the geographic area covered by the poll and any special characteristics of the population included in the poll sample.
- d. The exact wording of the questions asked in the poll and the sequence of such questions to the extent results of such questions were disclosed or to the extent that such questions were preparatory to the questions asked that were released and could have influenced poll respondents answers to the poll questions released.
- e. The method of polling – whether by personal interview, telephone, mail or other.
- f. The time period during which the poll was conducted.
- g. The number of persons in the poll sample: the number contacted who responded to each specific poll question; the number of persons contacted who did not so respond.
- h. The results of the poll relative to the questions required to be disclosed pursuant to subdivision (d) of this section.

### **§ 6204.1 Specification of objections to designating and independent nominating petitions**

(a) Any person filing general objections to any designating or independent nominating petition filed with the State Board of Elections who thereafter files specifications of his objections to any such petition with such board shall do so in accordance with the provisions of Section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

- (1) The volume number, page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any

signature line or witness statement objected to shall be specifically identified and reasons given for any such objection;

(2) The total number of signatures objected to shall be set forth and all objections relating to a single signature line should be grouped together;

(3) Symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of any such symbols and/or abbreviations is attached to the specifications.

(b) No specifications of objections to any petition will be considered by the Board unless the objector filing the specifications personally delivers or mails by registered or certified mail a duplicate copy of the specifications to each candidate for public office named on the petition. In the case of a petition containing candidates for party position, service of the specifications shall be made on either the named candidates or the first person named on the petition's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the Board.

Proof of service shall accompany the specifications or be received by the end of business two days following the filing of the specifications, whichever is later.

(c) Any notice and/or determination relating to a petition for which specifications of objections have been filed shall be transmitted by the Board to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and/or determination on his behalf. Any such designation shall be in writing and include the name, address and telephone number of any such attorney or agent, and any such attorney and/or agent shall be eligible to represent any such objector in any proceeding conducted by the Board relating to the specifications.

#### **§6215.1 Rules for filing designating and nominating petitions**

- a. The sheets of a petition shall be numbered sequentially at the foot of each sheet.
- b. All petitions containing ten or more sheets shall be accompanied by a cover sheet.
- c. Any two or more petition sheets shall be securely fastened together by any means which will hold the pages together in numerical order.
- d. Petition sheets may be fastened together to form one or more volumes.
- e. Individual volumes of a petition shall be filed in the following manner:

(1) With respect to petitions which are filed with the Board of Elections in the City of New York, or petitions which are filed with other boards of elections containing candidates for more than one public or party office which are not coterminous, each volume of each petition shall bear an identification number, to be obtained in accordance with Section 6215.3, infra. The assigned identification number shall be inscribed on the front of the volume. If an identification number has not been inscribed by the person or persons filing the petition, and the petition consists of multiple volumes, then each volume of the petition shall be separately numbered on the front thereof. Only one identification number may be used to identify a petition volume.

(2) Any Board of Elections outside the City of New York may adopt a petition filing system for all petitions utilizing identification numbers as provided for in Section 6215.3. The Board may adopt such system through the approval of a rule at least two months prior to the first day to circulate petitions. The rule shall be filed at the county board of elections and the State Board of Elections.

(3) With respect to all other petitions which contain ten or more sheets, each volume of the petition shall have a cover sheet secured to the front of such volume.

## **§6215.2 Cover Sheets**

(a) A cover sheet shall contain the following information:

(1) The office and district number (where appropriate) for which each designation and nomination is being made, the name and residence address of each candidate, and the number of volumes comprising the petition. The names and addresses of candidates for the county committee may be set forth, by assembly district (or, in the City of New York, by election district) on a schedule to be annexed to the cover sheet. Cover sheets for the positions of county committee in the City of New York shall include, in addition to such schedule a list by election district of the identification numbers (if known) or the volume number, and page number where such signatures appear for each election district.

(2) An identification of the volumes comprising the petition. When multiple volumes are filed pursuant to section 6215.1(e)(1) or (2) of this Part, a single cover sheet may be filed with volumes identified by listing the identification number of each volume either individually or cumulatively, and the total number of volumes in the petition. With respect to all other petitions filed in multiple volumes, each volume shall have a cover sheet which shall indicate the volume number; such volumes shall be numbered sequentially and the cover sheet from the first volume shall set forth the total number of volumes comprising petition.

- (3) A statement that the petition contains the number, or in excess of the number, of valid signatures, required by the Election Law.
- (4) A place for the optional designation of a contact person other than the candidate(s) to be notified to correct noncompliance with these regulations.
- (5) Where a designating or independent nominating petition involves the Office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Member of the State Senate or Member of the State Assembly, the cover sheet shall contain a place for the optional designation of the official campaign website address information for posting on the State Board of Elections' website pursuant to Election Law section 4-123. Any board of elections receiving such cover sheet or a separate written notification pursuant to section 6215.9(b) of this Part, other than the State Board of Elections, shall transmit a copy of such cover sheet or separate written notification to the State Board of Elections within three business days of its filing and such website addresses shall be posted by the State board on its website as soon as practicable.

- (b) Cover sheets shall be substantially in the form set forth in section 6215.8, infra.
- (c) Where a designating petition involves an office to be filled by the voters of the entire state, the petition shall be accompanied by a schedule which sets forth the volume and page number of each sheet on which signatures appear of at least 100 or 5 percentum, whichever is less, of properly enrolled voters in each of at least one-half of the congressional districts of the state.
- (d) Where a nominating petition involves an office to be filled by the voters of the entire state, the petition shall be accompanied by a schedule which sets forth the volume and page number of each sheet on which signatures appear of at least 500 voters in each of at least one-half of the congressional districts of the state.

### **§6215.3 Identification Numbers, application, distribution and utilization**

- (a) Identification numbers shall be issued by the State and County Boards of Elections, without charge, for the purpose of identifying petition volumes.
- (b) The State Board shall assign a series of identification codes to each County Board.
- (c) Any person or persons, individually or jointly, may obtain one or more identification numbers, upon written application, from the Board of Elections. Individuals who do not wish to apply for these numbers in advance will have them assigned to their petitions when they are submitted to the Board of Elections in accordance with section 6215.6 (b) of these rules. Identification numbers may be used only within the calendar year for which issued.

(d) The State Board of Elections shall promulgate an identification number application form, which shall be used by any board of elections. The application shall set forth: (1) the name and residence address of each applicant for the identification number; (2) the daytime and evening telephone numbers for such applicant; (3) the type of petition to be filed under the identification number (i.e., Designating, Nominating, Opportunity to Ballot); (4) the date of the election; (5) the Name of the Party or Independent Body; and (6) the number of identification numbers requested. Each application shall be signed by each applicant and shall be dated.

(e) Upon receipt of an application for an identification number, the Board shall forthwith issue the quantity of identification numbers requested, inscribe such numbers on the original application, and record the numbers issued with the name and address of the applicant in a book which shall be available for public inspection. In the event that an application is filed by multiple applicants, the Board shall record in the book only the name and address of the first-named applicant.

(f) An assigned identification number may be used for the filing of petition sheets only by the person to whom the identification number was issued. In the case of multiple applicants the identification number may be used by any of the applicants.

#### **§6215.4 Multiple Candidates Named On a Petition**

(a) All the signatures appearing in a petition volume shall apply to all candidates named in that volume, unless the cover sheet specifies otherwise.

(b) In the event that the same candidates do not appear on each and every sheet of the petition, then the cover sheet shall indicate which signatures apply to which candidate, by indicating the name of the candidate, the identification number or the volume number, and the page number of the applicable signatures. Signatures on such pages may be identified by specified numerical ranges (e.g., pages 1 through 15, pages 15-45).

#### **§6215.5 Filing of petitions**

(a) Neither the application for, nor the issuance of, an identification number constitutes filing of a petition.

(b) Petitions shall be filed with the applicable Board of Elections as set forth in the Election Law. The officer or Board shall endorse the day, hour and minute of receipt on such petitions. Such officer or Board shall keep a book, which shall be open to public inspection, in which shall be

entered the name of the candidate, and volume or identification numbers of the petitions which have been filed and the time of their filing.

#### **§6215.6 Construction of rules; substantial compliance**

- (a) Except as specifically set forth herein, these rules shall be liberally construed and technical defects shall be disregarded where there has been substantial compliance and where a strict construction is not required for the prevention of fraud.
- (b) The failure to obtain an identification number or inscribe an identification number on one or more petitions or petition volumes shall not render any such petition or petition volume invalid. The officer or Board receiving such petition or petition volume shall assign identification numbers to such petition or petition volumes, shall inscribe the identification number upon the petition or volume, and shall record the identification number of such petition or volume. In such instances, the person or persons submitting the petition or petition volume for filing shall be deemed to be the applicant for the identification number, or in the event the persons submitting the petition or petition volume, cannot be identified, the candidates named on the petition or petition volume shall be deemed to be the applicant or applicants.

#### **§6215.7 Determinations; cures pursuant to Section 6-134(2) of the Election Law**

- (a) Within two (2) business days of the receipt of the petition, the Board with whom such petition was filed shall review the petition to determine whether the petition complies with the cover sheet and binding requirements of these regulations. Such review shall be limited to matters apparent on the face of the documents. Such review, and such determination, shall be without prejudice to the determination by the Board of objections and specifications of objections filed pursuant to the provisions of the Election Law.
- (b) In the event that, upon the review conducted pursuant to paragraph (a) above, the Board determines that a petition does not comply with these regulations, the Board shall forthwith notify the candidate or candidates named on the petition of its determination and the reasons therefore.
- (c) Notification of a determination of noncompliance shall be given by written notice by depositing such notice on the day of such determination with an overnight delivery service, for overnight delivery, on the next business day, or by personal delivery by the day after the determination to the candidate or the contact person, if designated, at the address stated on the petition. Notification shall be given by overnight delivery or personal delivery only, unless the candidate shall have filed with the Board written authorization, signed by the candidate, for

the Board to give notification by facsimile transmission. In the event that the candidate shall have authorized notification by facsimile transmission, then the Board shall notify the candidate or the contact person, if designated, by facsimile transmission on the day of the determination to the number set forth by the candidate and shall, in addition, mail a copy of the determination to the candidate.

(d) A candidate may, within three (3) business days of the date of a determination that the petition does not comply with these regulations, cure the violation of these regulations. Cover sheet deficiencies may be corrected by the filing of an amended cover sheet. Such cure or correction must be received by the Board of Elections no later than the third business day following such determination.

(e) If the petition is one for an opportunity to ballot, then the first named person on the committee to receive notices or applicant(s) for the identification number or numbers under which the petition was filed shall be deemed to be the "candidate" for purposes of subparagraphs (b), (c), and (d) above.

## **Further Provisions**

Please be aware that there may be other requirements which may apply to running for any particular office. These may include but not be limited to:

### **Financial Disclosure Requirements**

The New York State Election Law requires candidates and political committees to file statements disclosing information about contributions received and expenditures made in connection with an election.

The forms required to register a committee and to report receipts and disbursements, as well as a comprehensive handbook of instructions, are available at the State Board of Elections and your county Board of Elections.

For more information on financial disclosure requirements, contact the State Board of Elections at 1-800-458-3453 or 518-474-8200, your county board of elections or visit our website at [www.elections.ny.gov](http://www.elections.ny.gov).

For New York City offices, please contact the Campaign Finance Board for any additional requirements.

For federal offices, please contact the Federal Election Commission for any additional requirements.

### **Hatch Act**

[www.osc.gov](http://www.osc.gov)

Call 1-800-85 HATCH

### **Commission on Judicial Conduct**

[www.scjc.state.ny.us](http://www.scjc.state.ny.us)

Call (646) 386-4800	-	Main Office
(518) 453-4600	-	Albany
(585) 784-4141	-	Rochester

### **Judicial Campaign Ethics Center**

[www.nycourts.gov/jcec](http://www.nycourts.gov/jcec)

Call 1-888-600-JCEC

### **NYS Joint Commission on Public Ethics**

[www.jcope.ny.gov](http://www.jcope.ny.gov)

Call (518) 408-3976

**Legislative Ethics Committee**

[www.legethics.com](http://www.legethics.com)

Call (518) 432-7837

**New York City Campaign Finance Board**

[www.nyccfb.info](http://www.nyccfb.info)

Call (212) 409-1800

**Federal Election Commission**

[www.fec.gov](http://www.fec.gov)

Call (800) 424-9530