2023
Petition Guidelines

Schenectady County Board of Elections
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****Please note, Campaign Contribution Limits will be provided in a separate document**

Section 1:
Calendars

- **Calendar of Relevant Dates**

- **For entire Political Calendar visit:**

www.VoteSchenectady.com
or
www.elections.ny.gov

Schenectady County Board of Elections
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Calendar for 2023 Primary Election:
For all dates, consult the Official NYS Political Calendar included herein.
Some key dates for designating petitions are:

Designating Petitions:		**Law §:**
First day to circulate Designating Petitions	February 28, 2022	§6-134(4)
Last day to circulate Designating Petitions	April 6, 2022	§6-158(1)

Dates and Hours for filing Designating Petitions:

Monday, April 3	9 A.M. to 5 P.M.
Tuesday, April 4	9 A.M. to 5 P.M.
Wednesday, April 5	9 A.M. to 5 P.M.
Thursday, April 6	9 A.M. to 5 P.M.
Friday, April 7	9 A.M. to 5 P.M.
Monday, April 10	9 A.M. to 5 P.M.

For Designating Petitions Filed on:	**General Objections must be received by:**	
Monday, April 3	Thursday, April 6	§6-154
Tuesday, April 4	Friday, April 7	
Wednesday, April 5	Monday, April 10	
Thursday, April 6	Monday, April 10	
Friday, April 7	Monday, April 10	
Monday, April 10	Thursday, April 13	

For General Objections Filed on:	**Specifications must be received by:**	
Thursday, April 6	Wednesday, April 12	§6-154
Friday, April 7	Thursday, April 13	
Monday, April 10	Monday, April 17	
Thursday, April 13	Wednesday, April 19	

- Last day to file Wilson-Pakula Authorization of petition designation……. Friday, April 14 §6-120(3)
- Last day to file Acceptance or Declination of petition designation…… Friday, April 14 §6-158(2)
- Last day to institute Proceedings with regard to designating petitions…… Monday, April 24 *(or three (3) business days after BOE determines the petition is invalid) §16-102(2)*

Petitions for Opportunity to Ballot:
First day to circulate Petition for the Opportunity to Ballot…Tuesday, March 21 §6-164
Last day to file Petition for Opportunity to Ballot……Thursday, April 13 §6-158(4)

Last day to file objections to Petition for Opportunity to Ballot is three days after the filing of the petition.*

*If last day is a Saturday or Sunday, then filed by the next business day, which is usually Monday.

Designating Petition Requirements for Public and Party Offices by Town & Legislative District

Jurisdiction	DEM	REP	CON	WOR
Town of Duanesburg Total	63	83	13	3
Town of Glenville Total	354	330	34	6
Town of Niskayuna Total	368	181	16	5
Town of Princetown Total	20	30	5	1
Town of Rotterdam Total	368	294	66	9
City of Schenectady Total	815	244	31	19
Village of Scotia Total	93	67	5	2
County Legislative District 1 Total	382	118	15	9
County Legislative District 2 Total	434	126	16	10
County Legislative District 3 Total	500	500	48	11
County Legislative District 4 Total	450	406	83	11
Countywide Total	1,000	1,000	163	40

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Designating Petition Requirements for Public and Party Offices by Election District

ED	DEM	REP	CON	WOR
Duanesburg 01	14	18	3	1
Duanesburg 02	13	19	3	1
Duanesburg 03	17	19	3	1
Duanesburg 04	9	13	3	1
Duanesburg 05	12	16	2	1
Glenville 01	16	13	2	1
Glenville 02	16	15	2	1
Glenville 03	11	18	2	1
Glenville 04	15	17	3	1
Glenville 05	18	16	2	1
Glenville 06	16	21	3	1
Glenville 07	17	14	2	1
Glenville 08	21	14	1	1
Glenville 09	18	12	2	1
Glenville 10	24	18	1	1
Glenville 11	17	11	1	1
Glenville 12	16	15	2	1
Glenville 13	19	15	3	1
Glenville 14	17	18	2	1
Glenville 15	19	20	3	1
Glenville 16	12	13	1	1
Glenville 17	12	11	1	1
Glenville 18	14	17	2	1
Glenville 19	17	16	1	1
Glenville 20	15	17	2	1
Glenville 21	21	17	2	1
Glenville 22	14	15	2	1
Niskayuna 01	27	16	2	1
Niskayuna 02	30	13	2	1
Niskayuna 03	21	13	2	1
Niskayuna 04	27	8	1	1
Niskayuna 05	21	9	1	1
Niskayuna 06	18	8	2	1
Niskayuna 07	28	10	1	1
Niskayuna 08	17	11	1	1
Niskayuna 09	23	11	2	1
Niskayuna 10	16	9	1	1
Niskayuna 11	24	14	1	1

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ED	DEM	REP	CON	WOR
Niskayuna 12	12	6	1	1
Niskayuna 13	22	10	1	1
Niskayuna 14	29	14	1	1
Niskayuna 15	26	14	2	1
Niskayuna 16	16	10	1	1
Niskayuna 17	20	11	2	1
Princetown 01	11	18	3	1
Princetown 02	9	12	2	1
Rotterdam 01	14	16	3	1
Rotterdam 02	13	16	5	1
Rotterdam 03	20	16	4	1
Rotterdam 04	20	20	6	1
Rotterdam 05	22	16	5	1
Rotterdam 06	18	12	3	1
Rotterdam 07	19	14	4	1
Rotterdam 08	21	14	3	1
Rotterdam 09	20	14	3	1
Rotterdam 10	17	10	3	1
Rotterdam 11	20	14	3	1
Rotterdam 12	15	15	6	1
Rotterdam 13	16	9	2	1
Rotterdam 14	18	13	3	1
Rotterdam 15	16	12	3	1
Rotterdam 16	18	17	4	1
Rotterdam 17	17	15	3	1
Rotterdam 18	18	15	4	1
Rotterdam 19	20	15	3	1
Rotterdam 20	21	16	4	1
Rotterdam 21	15	12	4	1
Schenectady 01	26	6	1	1
Schenectady 02	26	6	1	1
Schenectady 03	24	8	1	1
Schenectady 04	36	10	1	1
Schenectady 05	20	8	2	1
Schenectady 06	22	7	1	1
Schenectady 07	10	8	1	1
Schenectady 08	21	8	2	1
Schenectady 09	29	11	2	1
Schenectady 10	23	12	2	1
Schenectady 11	22	11	2	1
Schenectady 12	21	9	1	1
Schenectady 13	16	4	1	1

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ED	DEM	REP	CON	WOR
Schenectady 14	23	10	2	1
Schenectady 15	32	7	1	1
Schenectady 16	27	7	1	1
Schenectady 17	28	8	2	1
Schenectady 18	26	10	1	1
Schenectady 19	32	9	2	1
Schenectady 20	23	8	2	1
Schenectady 21	13	7	2	1
Schenectady 22	25	5	1	1
Schenectady 23	30	7	1	1
Schenectady 24	28	6	1	1
Schenectady 25	34	7	2	1
Schenectady 26	16	3	1	1
Schenectady 27	18	6	1	1
Schenectady 28	16	3	1	1
Schenectady 29	27	12	1	1
Schenectady 30	32	6	1	1
Schenectady 31	25	4	1	1
Schenectady 32	20	5	1	1
Schenectady 33	24	6	2	1
Schenectady 34	20	11	2	1
Schenectady 35	18	6	1	1

Independent Nominating Petition Signature Requirements – Election Law 6-142

Jurisdiction	Signatures Required	Votes for Governor
Town of Duanesburg Total	157	3,125
Town of Glenville Total	692	13,833
Town of Niskayuna Total	544	10,879
Town of Princetown Total	55	1,083
Town of Rotterdam Total	651	13,015
City of Schenectady Total	631	12,617
Village of Scotia Total	150	2,994
County Legislative District 1 Total	303	6,049
County Legislative District 2 Total	329	6,568
County Legislative District 3 Total	1236	24,712
County Legislative District 4 Total	861	17,216
Countywide Total	1500	54,552

Section 2:
Rules and Regulations

- **Schenectady County Board**
- **New York State Board**

Schenectady County Board of Elections
Office Petition Guidelines 2023

These guidelines for handling filings with the Schenectady County Board of Elections are made in conjunction with New York State Election Law. Everyone is urged to consult the Election Law and Regulations of the New York State Board of Elections, 9 NYCRR Section 6215, as well as these guidelines.

Definitions:

Petition: A 'petition' is all of the sheets which may be filed with the Board in one or more volumes, together with any required cover sheet, which designate the same candidate(s) for a particular public office or party position.

Petition Volume: A 'petition volume' is the securely fastened grouping of petition sheets for one or more candidates or group of candidates.

A. General Requirements:

A1. Sheets of a designating petition should be securely fastened together in one or more petition volumes. The sheets in each petition volume shall be numbered sequentially.

A2. All papers required to be filed pursuant to the Election Law shall, unless otherwise provided, be filed between the hours of 9 A.M. and 5 P.M. at the office of the Schenectady County Board of Elections, 2696 Hamburg St., Schenectady, NY 12303. Unless otherwise provided, 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. Failure of any person or entity to deliver any such document to the Schenectady County Board of Elections on or before the last day to file same shall be a fatal defect.

A3. All papers that are required to be filed with the office of the Schenectady County Board of Elections shall immediately upon receipt be **time-stamped on their face** in compliance with the requirements of the NYS Election Law. Materials that are received through the mail shall have their mailing envelope time stamped as well as the face of each document contained within the envelope. A record must be completed listing the documents contained in the envelope. The record shall be initialed by a board employee representing each of the major political parties. The original envelope and note shall be kept with one of the documents contained in the envelope and a photocopy of the envelope (bearing the post mark) together with the note attesting to its content shall be kept with each different document that was contained in the envelope.

B. Identification Numbers:

B1. No one is required to apply for a petition volume identification number before filing any petition volume. However, any person may apply for a petition volume identification number by submission of an Identification Number Application Form. Identification Number Application Forms are available in the office of the Schenectady County Board of Elections. If a petition volume identification number has been assigned before the petition volume is filed, the petition volume identification number should appear prominently on the top of the petition volume. The Board requests that petition volume identification numbers NOT be placed on the petition volume's binding.

B2. A pre-assigned petition volume identification number shall be used only by the candidate/s or applicant/s named in the application. Petition volume identification numbers are not transferable or assigned.

B3. A pre-assigned petition volume identification number shall be used only for the election event for which the application is made.

B4. Whenever a petition volume is filed without a pre-assigned petition volume identification number, the Board will assign a petition volume identification number from the next available number in the NTS Election Management System (NTS EMS).

C. Cover Sheet:

C1. All petitions containing ten or more sheets shall be accompanied by a cover sheet.

C2. A cover sheet shall contain the following information:

- **a)** the office and district number (where appropriate) for which each designation and nomination is being made;
- **b)** the name and complete residence address of each candidate;
- **c)** the total number of volumes comprising each petition;
- **d)** an identification of the volumes comprising the petition;
- **e)** a statement that the petition contains the number, or in excess of the number, of valid signatures, required by the Election Law;
- **f)** a place for the optional designation of a contact person to be notified to correct noncompliance with the Rules of the NYS Board of Elections (a candidate may be designated as the contact person);

C3. When multiple candidates for different member of county committee positions are bound securely in one petition, the names and addresses of candidates for member of county committee may be set forth by election district of candidacy on a schedule to be annexed to the cover sheet. Cover sheets for the position of member of county committee should include, in addition to such schedule and all other information required by Guide C, a list by election district of the identification numbers or the volume number, and page number where such signatures appear for each election district.

C4. An amended cover sheet must clearly identify the original cover sheet that it is amending or attach a copy of the original cover sheet that it is amending. The amended cover sheet must contain all the information required of a cover sheet.

C5. An amended cover sheet must be filed on or before the last day to file the petition unless the amended cover sheet is filed to cure a failure to comply with the Rules of the NYS BOE after the Schenectady County Board of Elections has made a determination of non-compliance with those Rules.

D. Determinations; Cures Pursuant to Section 6-134(2) of the Election Law

D1. Within two (2) business days of the receipt of a petition, the Commissioners of the Schenectady County Board of Elections will review the petition to determine whether the petition complies with the cover sheet, sequential page numbering and binding requirements of the Rules of the NYS BOE. Such review shall be limited to matters apparent on the face of the petition, the cover sheet, the binding of each petition volume, and the number of petition volumes. Such review and such determination shall be without prejudice to the Schenectady County Board of Election's determination of objections and specifications of objections filed pursuant to the provisions of the Election Law and these guidelines.

D2. The Commissioners of the Schenectady County Board of Elections shall utilize a SCBOE Petition Review Work Sheet and append by paper clip the completed document to the cover sheet of a petition, if one has been filed. If a cover sheet has not been filed, then the Work Sheet shall be appended to the first appearing page of the petition.

D3. In the event that the Schenectady County Board of Elections determines that a petition does not comply with the Rules of the NYS BOE, the Commissioners will forthwith notify the candidate or candidates named on the petition of its determination of non-compliance and the reasons therefore.

D4. 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 day after the determination to the candidate or contact person, if designated, at the address stated on the petition. Notification shall be given by overnight delivery unless the candidate shall have filed with the SCBOE written authorization, signed by the candidate, for the SCBOE to give notification by facsimile transmission or email. In the event that the candidate shall have authorized notification by facsimile transmission or email, then the SCBOE shall notify the candidate or the contact person, if designated, by facsimile transmission or email on the day of the determination to the number/email address set forth by the candidate and shall, in addition, mail, US Postal first class, a copy of the determination to the candidate.

D5. A candidate may, within three (3) business days of the date of a determination that the petition does not comply with the Rules of the NYS BOE, cure the violation of those Rules. Cover sheet deficiencies may be corrected by the filing of an amended cover sheet. Such cure or correction must be received by the SCBOE no later than the third business day following such determination.

D6. If the petition is 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 these Guidelines.

E. Examination and Copying of Petitions:

E1. The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners, shall control the requisition, examination and copying of any document filed with the SCBOE in order to assure that candidates, objectors or potential objectors and their representatives have an equal and fair opportunity to examine or copy such documents consistent with the needs of the SCBOE to process petitions and specifications of objections.

E2. Any person may obtain a copy of any document filed with the SCBOE upon written application and payment of $.25 per page or an electronic copy at no cost.

E3. While examining the document: No document shall be unfastened or taken apart; nor shall pen and ink or indelible pencil be used while examining documents. Red pencil supplied by the SCBOE is to be used while examining any original document.

E4. No petition shall be unfastened or taken apart without written acknowledgement signed by both commissioners.

E5. No petition shall be removed from the petition safe without prior authorization of both Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners.

F. Securing the Petitions:

F1. All petitions shall be secured in the petition safe, when not being processed by SCBOE staff for entering into the NTS Election Management System (NTS EMS) or by the Commissioners for their two-day review. The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners, shall be permitted to remove a petition from the petition safe.

F2. The door to the Petition Room has three locks. Lock one is used by the Sheriff's office during an impoundment. The key to lock two is in the possession of the Republican Commissioner. The key to lock three is in the possession of the Democratic Commissioner. The Commissioners using their respective party key shall lock when the office is closed the Petition Room door. Likewise, before locking the petition room door, the petition safe shall first be locked. Each Commissioner has the safe combination. However, it takes both political party representatives to gain entrance to the Petition Room.

G. General Objections

G1. A general objection to a petition must be filed with the SCBOE. The last day for filing general objections is three days after the latest date on which any part of such petition or cover sheet was filed.

G2. The general objection shall state the name and address of the objector; the name of the candidate/s and public office/s or party position/s; and political party; to which the objection is addressed and shall be signed by the objector. If the objection is directed to a petition for Opportunity to Ballot, the objection shall identify the public office or party position, and political party. It should also include the petition volume identification number.

G3. The general objection may include a place for the optional designation of a contact person to receive notice of any determination on the objection. The general objection should include any telephone numbers and fax numbers that can be used to provide notice regarding rulings on the objection.

H. Specification of Objections:

H1. Specifications of objections to a petition must be filed with the SCBOE within six (6) days after the filing of general objection.

H2. Specifications of objections shall state the name and address of the objector; the name of the candidate/s and public office/s or party position/s; and political party; to which the objection is addressed and shall be signed by the objector. The specifications may include a place for the optional designation of a contact person to receive notice of any determination on the objection. The specifications should include any telephone numbers, fax numbers and/or email address that can be used to provide notice regarding rulings on the objection.

H3. If the specifications of objections claim that there are an insufficient number of valid signatures, the specifications should state the total number of signatures contained in the petition and the total number of signatures that the objector claims to be invalid.

H4. When an objector files an objection that presents a factual issue that cannot be determined from documents on file with the SCBOE, the specifications must set forth the factual allegations with particulars. The objector shall submit with the specifications, copies of any documents or affidavits that are required in order for the SCBOE to rule on the issue.

H5. Any specific objection to an individual signature or witness statement shall set forth the petition volume identification number, page number and line number and shall set forth with specificity the nature of each objection to that signature or witness statement. Objectors may use abbreviations or symbols as long as they are clearly defined in the specifications.

H6. Objectors are warned not to include in the specifications broad, non-specific or generic claims or claims which are not supported by documents filed with the SCBOE. The SCBOE may dismiss the entire objections as frivolous if specifications include such claims.

H7. The SCBOE policy regarding the appropriate forum for determination of allegations of forgery or fraud is an invalidation proceeding pursuant to NYS Election Law Section 16-102. The SCBOE does not ordinarily rule on such allegations. In the rare case where an objector seeks to obtain a ruling from the SCBOE on an issue of fraud, or on a factual issue which cannot be determined from documents already filed with the SCBOE (such as petitions, registration records, party call, party rules, etc.), the specifications shall set forth the factual allegations with particularity. The objector should submit with the specification copies of any documents or affidavits that are required in order for the SCBOE to rule on the issue. Notwithstanding such a submission, the SCBOE will generally decline to rule on any allegation of fraud.

H8. No specifications of objections to any petition or other filing will be considered by the board of elections unless the objector filing the specifications personally delivers or mails by overnight mail a duplicate copy of the specifications to each candidate for public office named on said petition or filing. In the case of a petition or filing containing candidates for party positions, service of the specifications shall be made on either the named candidates or the first person named on the petition's or filing's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the board of elections. Proof of service shall

accompany the specifications or be received by the end of business two days following the filling of the specifications, whichever is later.

I. Clerks' Report

I1. The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners shall be assigned to examine the specifications of objections and to prepare a staff report to the Commissioners on the objections.

I2. Upon completion of the Clerks' Report, the Commissioners shall meet to review the line by line report by the clerks and make a determination.

I3. The guidelines for examination and copying of petitions shall also apply to specifications of objections showing the clerks' line by line review. The use of nominating or designating petitions and specifications by the clerks for the preparation of their report shall have priority over any request for examination or copying by any objector, candidate or their representative.

J. Commissioners' Determination:

J1. The Commissioners shall render a determination once the clerks' report has been completed. Upon a determination of invalidity, both the objector and the candidate(s) shall receive a written determination by US Postal first class mail, unless a prior request for fax transmission and/or email address was received. In that case, email or fax transmission and US Postal first class mail will be employed or emailed.

K. Drawing for Ballot Position:

Title 9, Subtitle V
Party 6204.3 Methods for Determining Ballot Order by Lot

K1. Pursuant to the New York State Board of Elections adopting the above Rules governing the conduct of drawings for ballot position, the Commissioners of the Schenectady County Board of Elections selected Option A. Drawing for ballot position will be conducted at the office of the Schenectady County Board of Elections.

K2. If there is a primary contest for public office or party position, the position of the candidates on the ballot shall be determined by lot. The losers in the Primary shall be withdrawn from the ballot and the winners shall be moved left to fill the gap of the loser for the General Election ballot. This procedure for the positioning of a candidate shall be used for the November General Election unless there is a timely request in writing to determine by lot for the ballot position.

K3. If there is no primary contest, names of candidates for Public Office shall appear on the ballot in the same order that they appear on designating petitions, unless there is a written request to determine by lot for the ballot position in conjunction with Section 7-116 of the NYS Election Law.

K4. Candidates or their designees may inspect the device to be used for the drawings prior to the drawing date. Once the inspection has occurred, the board will conduct the drawing in the following manner:

1. The candidate list will be prepared listing the public offices, first, in order of largest jurisdiction in relation to the total number of election districts affected to lowest jurisdiction in relation to the total number of election districts affected. Candidates will be listed within office codes in order of the date/time stamp that was affixed to the front page of the petition when this office received it. The Board will utilize the existing Office Code table to determine order of offices. Primary contests by multiple political parties within a particular office code shall be drawn in the order that the party appears on the ballot.
2. If more than one name appears on the face of the petition, the names will be typed in descending order on the candidate list in the order that the names appear on the petition sheet(s). However, whenever groups of names are designated for party position on the same petition, the order in which they shall be printed on the official primary ballot shall be determined by a single lot, absent an application pursuant to Section 7-116(2) of the NYS Election Law to demand that the order within a petition be drawn.
3. The first number drawn on the automated selection machine will be noted on the candidate list next to the name of the first candidate. The second number drawn will be noted on the candidate list next to the name of the second candidate, and so on, until the drawing for all contested positions within that particular office code and political party has been completed.
4. Once the drawing for that office code and political party is complete, the numbers on the candidate list will be reviewed and the ballot order announced, with the lowest number representing the first position, the next lowest number representing the number two position, and so on.
5. Once the results of a particular office code and political party has been completed and announced, the numbers will be returned to the drawing device. Drawing for the next appearing contest will similarly be conducted and announced until all drawings have been completed.

K5. Drawing results will be compiled by the SCBOE as part of the ballot certification and transmitted to the authorized vendor that supplies the ballot material.

Appendix A – copies of related worksheets.

Rules and Regulations - §6215.1 ELECTION LAW

PART 6215 - PREPARATION, DELIVERY AND FILING OF DESIGNATION AND NOMINATING PETITIONS

Sec. 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 10 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 of this Part. 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 10 or more sheets, each volume of the petition shall have a cover sheet secured to the front of such volume.

Sec. 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.

(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 100 voters in each of at least one-half of the congressional districts of the state.

Sec. 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 this Part. 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.

Sec. 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).

Sec. 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.

Sec. 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.

Sec. 6215.7 Determinations; cures pursuant to section 6-134(2) of the Election Law

(a) Within two 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 subdivision (a) of this section, 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 therefor.

(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 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 subdivisions (b), (c) and (d) of this section.

2020 Law Change on Opportunity to Ballot Petitions
EL Law 6-166(3)

3. Individuals *appointed* to serve on the committee to receive notices, shall, in a certificate signed and acknowledged by him or her, and filed as provided in this article, accept the *appointment* of the committee, otherwise such *appointment* shall be null and void. All certificates of acceptance shall be filed not later than the fourth day after the last day to file petitions for the opportunity to ballot.

2021 Law Change on Opportunity to Ballot Petitions
EL Law 6-164

Section 1. Section 6-164 of the election law, as amended by chapter 440 of the laws of 2019, is amended to read as follows:
§ 6-164. Primary, uncontested; opportunity to ballot. Enrolled members of a party entitled to vote in the nomination of a candidate for public office or the election of a candidate for party position in a primary election of such party, and equal in number to at least the number of signers required to designate a candidate for such office or position may file with the officer or board with whom or which are filed desig- nating petitions for such office or position a petition requesting an opportunity to write in the name of a candidate or candidates enrolled in such party, who need not be specified, for such office or position. Upon the receipt of such a petition, such office or position shall be deemed contested and the primary ballots of the party shall afford an opportunity to vote thereon. Requests for an opportunity to write in the names of candidates for two or more offices or positions may be included in the same petition. Such petitions shall be subject to objections and court determination thereof in the same manner as designating petitions so far as the provisions therefor are applicable. All required notices shall be served on the members of the committee named in the petition, and such committee shall have capacity to bring a proceeding under this chapter as if such committee was a candidate named on a petition. A signature to a petition for an opportunity to ballot in primary elections made earlier than sixteen days before the last day to file designating petitions for the primary election shall not be counted.
NOTE: A write-in ballot cast in a Party Primary for a candidate not enrolled in such Party shall be void and not counted.

FORMS

- **Sample Designating**
- **Sample Independent Nominating Petition**
- **Sample Opportunity to Ballot Petition**
- **Sample Cover Sheet for Petitions**
- **Sample Certificate of Acceptance**
- **Sample Certificate of Acceptance by Member of Committee on an Opportunity to Ballot Petition**
- **Sample Certificate of Authorization**
- **Sample Certificate of Declination**
- **Sample Certificate of Substitution**
- **Sample General Objection**
- **Sample Withdrawal of Objection**

Designating Petition Sec. 6-132, Election Law

I, the undersigned, do hereby state that I am a duly enrolled voter of the _____Party and entitled to vote at the next primary election of such party, to be held on _____, 20_____; that my place of residence is truly stated opposite my signature hereto, and I do hereby designate the following named person *(or persons)* as a candidate *(or candidates)* for the nomination of such party for public office or for election to a party position of such party.

Name(s) of Candidate(s)	**Public Office or Party Position** *(Include district number, if applicable)*	**Residence Address** *(Also post office address if not identical)*

I do hereby appoint as a committee to fill vacancies in accordance with the provisions of the election law *(here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party)*:

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	**Name of Signer** *(Signature required. Printed name may be added)*	**Residence**	**Enter Town or City** *(Except in NYC enter county)*
1. / / 20___			
Printed Name →			
2. / / 20___			
Printed Name →			
3. / / 20___			
Printed Name →			
4. / / 20___			
Printed Name →			
5. / / 20___			
Printed Name →			

(You may use fewer or more signature lines - this is only to show format.)

Complete ONE of the following

1. ***Statement of Witness:*** I *(name of witness)* _____ state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____ Party.

   I now reside at *(residence address)* _____.

   Each of the individuals whose names are subscribed to this petition sheet containing *(fill in number)* _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet.

   I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

   _____ _____

   Date *Signature of Witness*

   Witness Identification Information: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

   _____ _____

   Town or City Where Witness Resides *County Where Witness Resides*

2. ***Notary Public or Commissioner of Deeds:*** On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing *(fill in number)* _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

   _____ _____

   Date *Signature and Official Title of Officer Administering Oath*

Independent Nominating Petition **Sec. 6-140, Election Law**

I, the undersigned, do hereby state that I am registered voter of the political unit for which a nomination for public office is hereby being made, that my present place of residence is truly stated opposite my signature hereto, and that I do hereby nominate the following named person *(or persons)* as a candidate *(or candidates)* for election to public office *(or public offices)* to be voted for at the election to be held on the _____ day of _____, 20 _____, and that I select the name *(fill in name)* _____ as the name of the independent body making the nomination *(or nominations)* and *(fill in emblem)* as the emblem of such body.

Name(s) of Candidate(s)	**Public Office** *(Include district number, if applicable)*	**Residence Address** *(Also post office address if not identical)*

I do hereby appoint as a committee to fill vacancies in accordance with the provisions of the election law *(here insert the names and addresses of at least three persons, all of whom shall be registered voters within said political unit):*

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	**Name of Signer** *(Signature required. Printed name may be added)*	**Residence**	**Enter Town or City** *(Except in NYC enter county)*
1. / / 20___			
Printed Name →			
2. / / 20___			
Printed Name →			
3. / / 20___			
Printed Name →			
4. / / 20___			
Printed Name →			
5. / / 20___			
Printed Name →			

(You may use fewer or more signature lines - this is only to show format.)

Complete ONE of the following

1. *Statement of Witness:* I *(name of witness)* _____ state: I am a duly qualified voter of the State of New York.

I now reside at (*residence address*) _____.

Each of the individuals whose names are subscribed to this petition sheet containing *(fill in number)* _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

_____ _____

Date *Signature of Witness*

Witness Identification Information: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

_____ _____

Town or City Where Witness Resides *County Where Witness Resides*

2. *Notary Public or Commissioner of Deeds:* On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing *(fill in number)* _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

_____ _____

Date *Signature and Official Title of Officer Administering Oath*

Opportunity to Ballot Petition Sec. 6-132 and 6-166, Election Law

I, the undersigned, do hereby state that I am a duly enrolled voter of the _____ Party and entitled to vote at the next primary election of such party, that my place of residence is truly stated opposite my signature hereto, and I do hereby request an opportunity to write in the name of an undesignated candidate or candidates, enrolled in such party, for nomination to the public office or offices or for election to the party position or positions, in the political unit or units of representation hereinafter set forth, of such party to be voted on the _____ day of _____, 20____.

Public Office or Party Position	Political Unit or Unit of Representation

I do hereby appoint as a committee to receive notices in accordance with the provisions of the election law *(here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party)*:

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of Signer *(Signature required. Printed name may be added)*	Residence	Enter Town or City *(Except in NYC enter county)*
1. / / 20___			
Printed Name →			
2. / / 20___			
Printed Name →			
3. / / 20___			
Printed Name →			
4. / / 20___			
Printed Name →			
5. / / 20___			
Printed Name →			

(You may use fewer or more signature lines - this is only to show format.)

Complete ONE of the following

1. ***Statement of Witness:*** I *(name of witness)* _____ state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____ Party.

   I now reside at (*residence address*) _____.

   Each of the individuals whose names are subscribed to this petition sheet containing *(fill in number)* _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet.

   I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

   _____ _____

   Date *Signature of Witness*

   Witness Identification Information: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

   _____ _____

   Town or City Where Witness Resides *County Where Witness Resides*

2. ***Notary Public or Commissioner of Deeds:*** On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing *(fill in number)* _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

   _____ _____

   Date *Signature and Official Title of Officer Administering Oath*

Sample Cover Sheet

Designating and Independent Petitions

[Place Name of Party or Independent Body Here]

Name of Candidate	**Residence Address** *(Also mailing address if different)*	**Public Office or Party Position** *(Include district number where appropriate)*

Volume Number	
Total Number of Volumes in Petition	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

Contact Person to Correct Deficiencies:

Name _____
(Please print)

Residence Address _____
(Also mailing address if different)

_____

Phone _____ **Fax** _____
(Include if notice by fax desired)

Email _____
(Include if notice by email desired)

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above.

Optional: For candidates for statewide office, Member of Assembly or State Senator only
The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	**Website Address**

_____
Signature of Candidate or Agent

Sample Cover Sheet

Designating and Independent Petitions
Filed In New York City and Counties Which Utilize
Petition Identification Numbering Systems

[Place Name of Party or Independent Body Here]

Name of Candidate	**Residence Address** *(Also mailing address if different)*	**Public Office or Party Position** *(Include district number where appropriate)*

Total Number of Volumes in Petition	
Identification Numbers	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

Contact Person to Correct Deficiencies:

Name _____
(Please print)

Residence Address _____
(Also mailing address if different)

_____

Phone _____ **Fax** _____
(Include if notice by fax desired)

Email _____
(Include if notice by email desired)

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above.

Optional: For candidates for statewide office, Member of Assembly or State Senator only
The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	**Website Address**

_____
Signature of Candidate or Agent

Certificate Of Acceptance By Candidates
(Sections 6-146, Election Law)

Name of Candidate/Designee/Nominee: _____

Title of Office: _____

Political Subdivision
and District (if any): _____

Party or Independent Body Making
Designation/Nomination: _____

Address of Candidate/Designee/Nominee: _____

Election Type: (select One) ○ Primary ○ General ○ Special

Date of Election: _____

I, the above named Candidate/Designee/Nominee for the office identified, do ACCEPT and CONSENT to the designation/nomination, for the party or independent body identified above, at the election stated above.

Date: _____ Signature: _____

State of New York:

County of:_____ss:

On this_____ day of_____, 20____, before me

personally appeared _____ , to me known and known to me to be the

individual described therein, and who executed the foregoing instrument, and

acknowledged to me that he/she executed the same.

_____
Notary Public

Rev. 3.11.2020

CERTIFICATE OF ACCEPTANCE
BY MEMBER OF COMMITTEE TO RECEIVE NOTICES ON
OPPORTUNITY TO BALLOT PETITION
(Sections 6-166 (3), Election Law)

Name of Member of Committee
to Receive Notices: _____

Title of Office/Party Position: _____

Political Subdivision
and District (if any): _____

Party of OTB Petition: _____

Address of Member of Committee: _____

Date of Primary Election: _____

I, the above named Member of the Committee to Receive Notices, do ACCEPT and CONSENT to such appointment by the Opportunity to Ballot Petition of the above stated Party for the office or position identified for the Primary Election above stated.

Date:_____ Signature:_____

State of New York:

County of:_____ss:

On this_____ day of_____, 20____, before me

personally appeared _____ , to me known and known to me to be the

individual described therein, and who executed the foregoing instrument, and

acknowledged to me that he/she executed the same.

_____
Notary Public

CERTIFICATE OF AUTHORIZATION

(Section 6-120, Election Law)

We, _____ and _____
(Presiding Officer) (Secretary)

Presiding Officer and Secretary of the meeting of the _____ Party

of _____, DO HEREBY CERTIFY THAT: at a meeting of the
(Political Subdivision)

_____ Committee of the _____, Party
(Political Subdivision)

held on the _____ day of _____, 20____, a quorum being present, said committee, by

majority vote of the members present, did consent and authorize the nomination/designation of

_____residing at _____
(Name of Candidate) (Place of Residence)

_____ for the office of _____ as

a candidate of the _____ Party for public office indicated, at the

_____ Election to be held on _____.
(Special/Primary/General) (Date of Election)

Said nomination/designation is authorized pursuant to the provisions of Section 6-120 of the New York State Election Law.

IN WITNESS WHERE OF, we have set our hands this _____ day of _____, 20____.

_____
Presiding Officer

_____
Secretary

On this _____ day of _____, 20_____ before me personally came

_____ and _____
to me known and known to me to be the persons described in and who executed the foregoing instrument and he/she duly acknowledged to me that he/she executed the same.

_____
Notary Public

(11/99)f:files\forms\author

(Sample prepared by the State Board of Elections)

CERTIFICATE OF DECLINATION

(Section 6-146, Election Law)

I, _____ , residing at
(Candidate's Name)

_____
(Address)

having been designated/nominated by the _____
(Name of Party)

Party, as a candidate for the office of _____
(Title of Office and Political Subdivision)

_____ district, at a _____
(District Number if any) (Special/Primary/General)

election to be held on _____ , 20 ____ ,

do hereby DECLINE such designation/nomination.

_____ _____
(Date) (Signature of Candidate)

State of New York :
County of _____ : ss:

On this _____ day of _____ , 20__ , before me personally appeared _____ , to me known and known to me to be the individual described therein, and who executed the foregoing instrument, and acknowledged to me that he/she executed the same.

_____
Notary Public

(Sample Prepared by State Board of Elections)

Rev. 04/2012

CERTIFICATE OF SUBSTITUTION BY COMMITTEE TO FILL VACANCIES AFTER DECLINATION, DEATH OR DISQUALIFICATION

(Section 6-148, Election Law)

WHEREAS, there exists a vacancy in the designation/nomination for the office of_____
(title of office and political subdivision)

in the _____ district by the _____ Party caused by the
(district number if any) (name of party)

declination/death/disqualification of _____.
(name of original candidate)

THEREFORE, WE, the undersigned, constituting a majority of the duly authorized Committee to Fill Vacancies, do hereby certify that we have designated/nominated the following person to fill the above mentioned vacancy:

Name of new candidate: _____

Place of residence: _____

_____ DATE:_____

_____ _____
Signature of vacancy committee member Signature of vacancy committee member

_____ _____
Signature of vacancy committee member Signature of vacancy committee member

---

AFFIDAVIT

We, the undersigned, hereby affirm that we constituted a majority of the vacancy committee referred to in the above certificate and that the statements in such certificate are true.

_____ _____

_____ _____

Sworn to before me this
_____ day of _____, 20____ _____
Notary Public

CONSENT BY SUBSTITUTED CANDIDATE

I, _____ hereby accept the above designation/nomination of the
(Name of Substituted Candidate)

_____ Party, for the office of _____, _____.
(Name of Party) (Title of Office & Political Subdivision) (district # if any)

_____
Signature of Candidate

On this ____ day of _____, 20___, before me personally appeared _____ to me known and known to me to be the individual described in, and who executed the foregoing instrument, and acknowledge to me that he/she executed the same.

_____
Notary Public

(11/99)f :\files\forms\vacancy.sub SAMPLE PREPARED BY STATE BOARD OF ELECTIONS

GENERAL OBJECTION FORM

Schenectady County Board of Elections:

OBJECTOR:

Your Name: _____

Your Residence Address: _____

Your Phone: _____

The objector, above named and duly qualified, hereby objects to the

_____
(specify petition or other document objected to)

which was filed with the Board of Elections on _____ .
(specify date document objected to was filed)

PETITION / DOCUMENT / CANDIDATE OBJECTED TO:

Candidate's Name: _____

Candidate's Address: _____

Candidate Public Office: _____

Party of Petition: _____

Take notice that I will specify the basis of my general objection within the time provided by law.

Date:_____ _____
Objector's Signature

Withdrawal of Objection

FILE ONLY IF YOU WISH TO WITHDRAW/RESCIND YOUR SPECIFIC OBJECTION.
If you wish to continue your objection, do not file this form.

TO: SCHENECTADY COUNTY BOARD OF ELECTIONS
2696 Hamburg Street
Schenectady, New York 12303-3715

PETITION / DOCUMENT / CANDIDATE PREVIOUSLY FILED OBJECTION TO:

Candidate's Name: _____

Candidate's Address: _____

Candidate Public Office: _____

Party of Petition: _____

I hereby direct the Board of Elections to disregard my SPECIFIC OBJECTION(S), and I further direct that you take no further action thereon.

I do not wish to pursue specific objections.

Date: _____ _____
SIGNATURE