



NEW YORK STATE SENATOR

Tony Avella

## **Avella Announces Legislation to Combat Election Abuses by Candidates**

[Tony Avella](#)

November 6, 2017

**Queens, NY** - This afternoon, State Senator Tony Avella outlined two pieces of legislation that seek to combat two abuses of election law that are commonly used by incumbent candidates and party bosses to circumvent the will of the voters.

The two pieces of legislation (S6868 and S2040) would address the abuses being committed by Councilman David Greenfield and Senator Daniel Squadron, both of whom resigned their office or declined their nomination at a time when it was too late for voters to have full say in who represented them.

The first bill, S6868, is aimed at stopping the all-too-common practice of incumbent politicians dropping their re-election bids and hand picking their replacements, through the "Committee on Vacancies," after it is too late for anyone else to enter the race. Senator Avella has long been an opponent of this loophole to deprive people of the power to pick their own candidates but after the debacle in Brooklyn, he felt it was necessary that this legislation be introduced rather than trusting

politicians to do the right thing.

The “Committee on Vacancies” is a handpicked group of confidants that the politician controls. The New York State Board of Elections created this provision to be utilized if the candidate was to fall ill, pass away, or be disqualified for any other reason. However, candidates have often used this broad provision as a way of hand picking their own successor.

S6868 restores the Committee on Vacancies to its original purpose—dealing with the death, serious illness, or disqualification of a candidate, creates an opportunity for citizens to run for office in the event of a candidate dropping out, and removes the ability of an incumbent to handpick their successors.

S2040 requires the Governor to make a proclamation for a special election within seven days of a vacancy, establishes that a vacancy must be filled by a non-partisan election, and ensures that constituents’ interests are represented after the vacancy.

“For far too long, incumbents and party bosses have had a stranglehold on the electoral system, rigging it to their advantage every opportunity they get. This practice of ‘declining’ the ballot line and hand picking your replacement after it is already too late for anyone else to enter the race is nothing short of election fraud. It deprives voters of both running for office themselves and electing a candidate of their choosing. Rather, it says to the voter that their right to a fair and free election is not worth honoring. We need serious reform on this practice in New York and changing the ‘Committee on Vacancies’ and ‘Special Election’ processes is the perfect starting point. I look forward to formally introducing this legislation and giving power back to the voter,” **said Senator Avella.**

## related legislation

### [2017-S6868](#)

- 
- Introduced
    - In Committee Assembly
    - In Committee Senate
  - ◦ On Floor Calendar Assembly

- On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

[Relates to providing for the reopening of a petitioning period to fill vacancies due to the declination of a designation or nomination for reasons other than death or serious illness](#)

September 06, 2017

In Senate Committee [Elections](#)

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Do you support this bill?

## **[2017-S2040](#)**

- 
- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -

[Relates to elections to fill vacancies in the office of state senator or in the office of member of assembly](#)

January 11, 2017

In Senate Committee [Investigations and Government Operations](#)

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Aye

Nay