



## VILLAGE OF NEW PALTZ RUNNING FOR VILLAGE OFFICE

Note: always check with the Office of the Clerk for the most recent Election Calendar

***Disclaimer: The information provided herein is intended for general informational purposes only. To the extent that the information contained herein is an interpretation of law, such interpretation is an opinion of the Village of New Paltz and does not constitute specific legal advice. Moreover, the Village, its elected officials, employees, and outside consultants do not maintain an attorney-client relationship with members of the public. This information does not establish and should not be construed as establishing an advisory or confidential relationship with any member of the public, particularly those considering a campaign for public office. We recommend that you consult with an attorney to obtain specific legal advice about a proposed course of action, the requirements and/or the consequences thereof.***

### NOMINATION

Anyone wishing to run as a candidate for Village office can be nominated by an **independent body** (one other than an existing official party) through the filing of an **independent nominating petition**. *Sample petitions are available at <http://www.elections.ny.gov/RunningOffice.html>*

- a. Any petition that consists of 10 or more sheets must be accompanied by a **cover sheet**  
*Sample cover sheets are available at <http://www.elections.ny.gov/RunningOffice.html>*
- b. Petitions must be bound and numbered at the **foot** of each page

Note: If the Clerk, within two days of filing, finds that the petition is not in compliance with the cover sheet or binding requirements, a notice of non-compliance will be given to the candidate, who then has 3 days from the date of the Clerk's determination to remedy the mistake.

### INDEPENDENT NAME & EMBLEM

Individuals running for political office outside the party system are **required to pick an independent body name and emblem** for their use and for purposes of identification on both their independent nominating petition and on the ballot.

#### The name:

- a. Must be in English and cannot include the name, part of the name, or an abbreviation of the name of an existing political party
- b. Cannot include the words "American," "United States," "New York State," or any abbreviation thereof
- c. Must not be similar or likely to create confusion with the name of an existing political party

#### The emblem:

- a. Must conform to the requirements of NYS Election Law 2-124
- b. May be a star, an animal, an anchor, or any other proper symbol

- c. Cannot be the same or similar to: any entity, insignia, symbol, or flag; religious emblem; portrait of any person; representation of a coin or currency of the United States
- d. Must not be similar or likely to create confusion with the emblem of an existing political party

**Additionally:** Any petition that does not fit these criteria will be accepted by the Clerk BUT may be challenged

- a. If the petition filed with the Village Clerk does not show an emblem or a name for the independent body, the Clerk will select the name and/or emblem for the candidate
- b. If two or more independent petitions are filed with the same or similar names and/or emblems, the first petition filed will be permitted to use the selected name and emblem and the other will be allowed to select another name and/or emblem

## **SIGNATURES & WITNESSES**

**100 qualified signatures** are required for independent nominating petitions. These signatures can be gathered for **6 weeks prior to the last day for filing a petition**. *For elections held the first week of May, petitions can be signed between the second week of February through the last week of March.*

### **Qualifications of Signers:**

- a. Any registered voter who had not already participated at a caucus or signed a designating or independent nominating petition for a particular office, and who is qualified to vote in the Village of New Paltz General Election, may sign an independent nominating petition for that office
  - i. To be qualified to vote in the Village of New Paltz General Election, one must be a resident of the Village of New Paltz AND registered to vote at that residence with the Ulster County Board of Elections

### **Qualifications of Witnesses to a Petition:**

- a. Anyone who is a qualified voter may witness a petition
- b. The information required for the witness statement (name and residence for 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 required for the witness statements) is mandatory
  - i. Omissions, errors, or unexplained alterations/corrections may invalidate the entire page
  - ii. 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
  - iii. Witness identification information, which follows the witness' signature, may be provided by anyone, at any time before the petition is filed. This information should include the town and county of the witness' registration (New Paltz, Ulster County)

Note: any petition that does not fit these criteria will be accepted by the Clerk BUT will be subject to a challenge.

## **FILING**

Independent nominating petitions must be filed in the Office of the Village Clerk no more than 42 days prior to a Village Election and no later than 35 days preceding the Election

- a. Upon filing, the Village Clerk will mail notice to each person nominated, stating the candidate's name as it will appear on the ballot, and the last day to accept or decline the nomination

### **CERTIFICATE OF ACCEPTANCE OR DECLINATION**

- a. A certificate of acceptance or declination of an independent nomination must be filed with the Village Clerk within 3 days of the last day to file the petition
- b. In the event of a vacancy caused by a declination, a candidate may submit a certificate to fill a vacancy 3 days after the last day to file a declination
  - i. This certificate must have appended to it the written consent of the person nominated

### **CHALLENGING PETITIONS**

Individuals wishing to object to the legal sufficiency of a party designating petition, certificate of nomination, or independent nominating petition must file a written objection with the Village Clerk within 1 day after the last date to file the petition or certificate, or within 1 day after the Clerk receives the petition or certificate if the papers were mailed in a timely fashion as permitted by law.

- a. Within 2 days of filing a written objection, the challenger must also file with the Village Clerk written specifications that form the basis of the objection. Failure to file the written specifications renders the original objection null and void.

### **FINANCIAL DISCLOSURE REQUIREMENTS**

- a. The first filing of statement of campaign receipts and expenditures for the Village election must be filed 32 days prior to the election
- b. The second filing of statement of campaign receipts and expenditures for the Village election must be filed 11 days before the election
- c. The third filing of statement of campaign receipts and expenditures for Village election must be filed 27 days after the election

*Samples statements of campaign receipts and expenditures are available at <http://www.elections.ny.gov/RunningOffice.html>*

Note: All documents required to be filed must be filed between 9:00 a.m. and 5:00 p.m. on weekdays. If the last day for filing falls on a Saturday, Sunday, or a legal holiday, the next business day becomes the last day for filing. All papers sent by mail in an envelope postmarked prior to midnight of the last day of filing are deemed timely filed and accepted for filing when received.

Additionally: Failure to file any petition or certificate relating to the designation or nomination of a candidate for public office or to the acceptance or declination of such designation or nomination within the time prescribed above is a fatal defect.

#### ***For more information please go to:***

1. The State of New York's Elections info at: <http://www.elections.ny.gov/RunningOffice.html> or
2. Contact the Ulster County Board of Elections at 845-334-5470 or go to their website [www.voteulster.com](http://www.voteulster.com)
3. Consult an Elections Attorney.