

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 170

Introduced by Council Members Kallos, Dickens, Lander, Wills, Rodriguez, Menchaca and Greenfield.

A LOCAL LAW

To amend the New York city charter, in relation to allowing for flexibility with respect to the voter guide

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 1052 of the New York city charter, as amended by local law number 43 for the year 2014, is amended to read as follows:

b. *1.* The board shall take such actions as it deems necessary and appropriate to improve public awareness of the candidates, *ballot* proposals or referenda in all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, including but not necessarily limited to the publication of a non-partisan, impartial [voters] voter guide in at least one media format providing information on candidates, ballot proposals and referenda, and the distribution of one copy of such guide to each household in which there is at least one registered voter eligible to vote in the election involved. *A voter may opt out of receiving a printed copy of such guide and the board shall comply with this request to the extent feasible.*

2. The board shall also take such actions as it deems necessary and appropriate to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county,

state, or federal law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format providing information on such candidates, ballot proposals or referenda. The board shall coordinate with other agencies in general and specialized efforts to improve public awareness of such candidates, proposals, or referenda.

3. In any year in which the board publishes a [voters] voter guide pursuant to paragraph 1 of this subdivision, if the board determines that the amount of money in its budget is insufficient or likely to be insufficient for the publication and distribution of [the voters] such guide, it shall report such determination to the director of the office of management and budget, who, after consultation with the board, shall, without an appropriation, transfer to the board a reasonable amount, as the director shall determine, to cover the cost of publishing and distributing [the voters] such guide; provided however, that for any election in any district in which (i) there are no contested elections for the office of mayor, public advocate, borough president, comptroller or city council, and (ii) there has been no administrative action, or determination of a court of final, competent jurisdiction, to include a ballot proposal or referendum at such election sixty days or more prior to the date of such election, the board shall not publish or distribute a printed copy of such guide, but shall instead make available to the public on its website information to the extent practicable regarding any proposal or referendum that is to be included on the ballot.

§ 2. Section 1053 of the New York city charter, as added by a vote of the electors on November 8, 1988, is amended to read as follows:

§ 1053 [Voters] Voter guide. [Each voters] a. For all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, each printed voter guide published by the board shall contain:

[(a)] 1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when a citizen is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; [maps showing the boundaries of council districts] *information on the political subdivisions applicable to a particular citizen's address*; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

[(b)] 2. such tables of contents, graphics, and other materials which the board determines will make the [voters] *voter* guide easier to understand or more useful for the average voter;

[(c)] 3. [biographical] information on each candidate, including but not limited to name, party affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, [and] a listing of major organizational affiliations and endorsements[; (d)], *and a concise [statements] statement* by each candidate of his or her principles, platform or views; and

[e] 4. where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum. [The guide]

b. For all other elections in which there are contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, each voter guide shall contain information that the board deems necessary or useful to the electorate or is otherwise consistent with the board's responsibility under this chapter to improve public awareness of candidates, ballot proposals, or referenda.

c. Voter guides shall be prepared in plain language using words with common and everyday meanings. [No later than the first day of January of nineteen hundred eighty nine, the]

d. The board shall promulgate such rules as it deems necessary for the preparation and publication of [the guide] voter guides in English, Spanish and any other languages the board determines to be necessary and appropriate[,] and for the distribution of the guide in at least one media format. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

§ 3. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 15, 2016 and approved by the Mayor on December 22, 2016.

ALISA FUENTES, Acting City Clerk, Acting Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 170 of 2016, Council Int. No. 988-A of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel