

Designating and Independent Nominating Petitions For County Executive

New York State Election Law establishes the maximum number of signatures required for designating and nominating petitions. Candidates running for county executive under a party are required to get 2,000 signatures.

Obtaining 2,000 signatures for candidates not supported by a political party boss, is virtually impossible to do. Of the six past County Executive elections only two have had candidates besides a Democrat and a Republican. In the past twenty years, there has been one County Executive election with a primary as it is too hard for non-party endorsed candidates to get on the ballot.

Under New York's Home Rule Law, municipalities have the authority to reduce the number of petition signatures required for both party and independent candidates. New York City has already done so through a Charter Commission, cutting its signature requirements as follows:

- **Mayor** – 3,750 (down from 7,500)
- **Borough President** – 2,000 (down from 4,000)
- **City Council** – 450 (down from 900)

These requirements apply equally to both party and independent candidates.

The New York City Charter offers a model for reform, ensuring that non-endorsed and independent candidates are not unfairly disadvantaged.

Erie County should adopt a similar approach to promote fairness and a more competitive electoral process.

Pages 47-50 of the report below address the legality of adopting this change.

https://www.nyc.gov/assets/charter/downloads/pdf/nonpartisan_elections.pdf

Article 3 – Executive Branch

Section 301.1 Designating Petitions and Independent Nominating Petitions; Number of Signatures

a. The number of signatures required for any designating petition or independent nominating petition for the designation or nomination of a candidate for Erie County Executive shall be governed by applicable provisions of the New York state election law, except that in no event shall the number of signatures required exceed the limit of one thousand signatures.

b. (1) The following provisions of the election law shall not apply to the extent that they govern the designation or independent nomination of county legislator: paragraphs (a), of subdivision two of section 6-142 (independent nominations; number of signatures). Section 6-100 of the election law shall apply, except to the extent that provisions of article six of the election law are inapplicable in accordance with this section.

(2) Any other provisions that from time to time may be added to the election law and that relate to the matters covered by the provisions of the election law that are inapplicable in accordance with this section shall similarly not apply to the extent that they govern the designation or nomination of such officers.

(3) References to provisions of the election law in this section shall be deemed to refer to any successors to such provisions.