

## COURT ORDERED POLITICAL CALENDAR for the 2014 FEDERAL PRIMARY AND GENERAL ELECTIONS

The Federal MOVE Act requires military and special federal ballots to be sent out 45 days prior to a primary or general election for federal office. Here's a summary of the key calendar changes that the Court has ordered to ensure compliance.

### **Designating Petitions for Federal Office/Federal Primary Election:**

- First date to circulate designating petitions for federal office is March 4, 2014.
- Dates to file designating petitions are April 7, 2014 to April 10, 2014.
  - Nominating petitions by independent bodies for federal office as those petition dates **are** altered by this plan.
    - First date to circulate independent nominating petitions for federal office is June 24, 2014.
    - Dates to file independent nominating petitions for federal office are July 29, 2014 to August 5, 2014.
  - Nominating petitions by independent bodies for state/local office are NOT altered by this plan.

### **Opportunity to Ballot Petitions for Federal Office/Federal Primary Election:**

- First date to circulate OTB petitions for federal office is changed to March 25, 2014.
- Last date to file OTB petitions is changed to April 17, 2014.

### **Filing documents by mail pursuant to Election Law section 1-106 on the last day for filing must be received no later than one business day after the last day to file:**

- For the 2014 Federal Primary and General Elections, that all certificates and petitions of designation or nomination, certificates of acceptance or declination of such designations and nominations, certificates of authorization for such designations, certificates of disqualification, certificates of substitution for such designations or nominations and objections and specifications of objections to such certificates and petitions required to be filed with the state board of elections or a board of elections outside of the city of New York shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service (as defined in CPLR §2103(b)(6)) in an envelope postmarked or showing receipt by the overnight delivery service prior to midnight of the last day of filing, and received no later than one business day after the last day to file such certificates, petitions, objections or specifications.

The following table shows the 2014 events that occur in the political calendar grouped by topic. The right hand column indicates the sections of law that have been superseded in order to comply with the Court Order to send out the military ballots by the 45<sup>th</sup> day before both the federal primary and the general election.

The table also applies the statutory rule of moving filing dates 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. Election Law §1-106

<b>Event</b>	<b>Basis in Law or Court Order</b>	<b>Date</b>	<b>Summary of Law or Court Order</b> Where a statute has been superseded by court order for Federal contests – added language is shown <u>underlined</u> and changed language has been <del>struck</del> through.
<b>GENERAL ELECTION</b>	§ 8-100 (1)(c)	<b>11/4/2014</b>	
<b>FEDERAL PRIMARY ELECTION</b>	Court Order	<b>6/24/2014</b>	Set by Federal Court Order
<b>Certification of Federal Primary Election</b>			
Certification of Federal Primary ballot by SBOE of designations filed in its office 54 days before federal primary.	§ 4-110	5/1/2014	§ 4–110. ...not later than <u>fifty-four days before a primary election for federal office; or thirty-six days before a primary election for state/local office...</u>
Determination of candidates for federal office; CBOEs of designations filed in its office – 53 days before Federal Primary.	§ 4-114	5/2/2014	§ 4–114. ...not later than <u>fifty-three days before a primary or general election for federal office; or the thirty-fifth day before the day of a primary or general election for state/local offices...</u>
<b>Canvass and Post-Election Audits for Federal Primary Election</b>			
Canvass of Federal Primary Returns by County Board of Elections	§9-200(1)	7/3/2014	
Recanvass of Federal Primary Returns	§9-208(1)	7/9/2014	
Post-Election Audit of Voting Systems	§9-211(1)	7/1/2014	
<b>Certification of General Election</b>			
Certification of offices to be filled at General Election	§4-106 (1) (2)	3/4/2014	Same as the first date to circulate designating petitions for federal primary.
Deadline for vacancies to occur and be filled at the General Election for state/local candidates where the contest was not already on the ballot.	§6-158 (14) Pub Off §42 (1)	9/19/2014	Except State Supreme Court Justices, deadline is 3 months before the date of the General Election. (August 4, 2014)
Certification of General Election ballot by SBOE of federal candidates filed in its office to be completed 54 days before General Election.	§ 4-112 (1)	9/11/2014	§ 4–112. ...not later than <u>fifty-four days before a general election for federal offices; or, thirty-six days before a general election for state/local offices...</u>
Determination of federal candidates; CBOEs filed locally – 53 days before General Election	§ 4-114	9/12/2014	§ 4–114. ...not later than <u>fifty-three days before a primary or general election for federal office; or the thirty-fifth day before the day of a primary or general election for state/local offices...</u>
Certification of General Election ballot by SBOE of state candidates filed in its office to be completed 36 days before General Election.	§ 4-112 (1)	09/29/2014	

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Determination of state/local candidates and questions; CBOEs filed locally – 35 days before General Election	§ 4-114	09/30/2014	
<b>Party Designations</b>			
<b>Designating Petitions for the Federal Primary</b>			
First day for signing designating petitions for federal office.	§ 6-134 (4)	3/4/2014	
Dates for filing designating petitions for Federal Primary.	§ 6-158 (1)	April 7, 2014 to April 10, 2014	...a designating petition for federal office shall be filed not earlier than the <del>tenth</del> <u>twelfth</u> Monday before, and not later than the <del>ninth</del> <u>eleventh</u> Thursday preceding the federal primary election.
Last day to authorize federal designations.	§ 6-120 (3) § 6-158 (6)	4/14/2014	
Last day to accept/decline a federal designation.	§ 6-158 (2)	4/14/2014	
Last day to fill vacancy after declination of federal designation.	§ 6-158 (3)	4/18/2014	
Last day to file authorization of substitution after a declination of federal designation.	§ 6-120 (3)	4/22/2014	
<b>Opportunity to Ballot (OTB) Petitions for the Federal Primary</b>			
First day for signing OTB for federal office.	§ 6-164	3/25/2014	
Last day to file OTB petitions for federal office.	§ 6-158 (4)	4/17/2014	...an opportunity to write in the name of an undesignated candidate for a federal public office at a federal primary election shall be filed not later than the <del>8<sup>th</sup></del> <u>10<sup>th</sup></u> Thursday preceding the federal primary election.
Last day to file an OTB petition if there has been a declination by a designated candidate.	§ 6-158 (4)	4/24/2014	...a petition for an opportunity to ballot in a primary election for Federal office shall be filed not later than the <del>7<sup>th</sup></del> <u>9<sup>th</sup></u> Thursday preceding such federal primary election.
<b>Party Nominations Other than Primary for Federal Office</b>			
Dates for holding state committee meeting to nominate candidates for statewide office	§6-104 (6)	May 13, 2014 to June 3, 2014	No change in 2014. Dates are based on the state/local political calendar dates as provided in statute as there are no federal statewide offices in 2014.

Event	Basis in Law or Court Order	Date	Summary of Law or Court Order Where a statute has been superseded by court order for Federal contests – added language is shown <u>underlined</u> and changed language has been <del>struck</del> through.
Last day to file certificates of nomination to fill vacancies in federal office created pursuant to § 6-116.	§ 6-158 (6)	7/15/2014	For a vacancy created pursuant to Section 6-116, Section 6-158(6) has been superseded as follows:  A certificate of a party nomination made other than at the primary election for an office to be filled at the time of a general election shall be filed not later than <del>seven</del> <u>twenty-one</u> days after the <del>fall</del> <u>Federal</u> primary election...
Last day to accept or decline a nomination for federal office made based on § 6-116.	§ 6-158 (7)	7/18/2014	3 days after the last date to file certificate of nomination.
Last day to file authorization of nomination for federal office made based on § 6-116.	§ 6-120 (3)	7/21/2014	4 days after the last day to file certificate of nomination. Date falls on Saturday, July 19 <sup>th</sup> – moves to Monday, July 21, 2014.
Last day to fill a vacancy after a declination for federal office made based on § 6-116.	§ 6-158 (8)	7/22/2014	4 days after the last day to file declination.
<b>Independent Petitions For Federal Office</b>			
First day for signing nominating petitions for federal office.	§ 6-138 (4)	6/24/2014	Time period has been amended in 2014 for federal office to begin and end two weeks earlier than currently provided for in statute.
Dates for filing independent nominating petitions for federal office.	§ 6-158 (9)	7/29/2014 to 8/5/2014	9. A petition for an independent nomination for an office to be filled at the time of a general election shall be filed not earlier than <del>twelve</del> <u>fourteen</u> weeks and not later than <del>eleven</del> <u>thirteen</u> weeks preceding such election.
Last day to accept or decline independent petition nomination for federal office.	§ 6-158 (11)	8/8/2014	11. ...filed not later than the third day after the <del>eleventh-thirteenth</del> <u>thirteenth</u> Tuesday preceding such election ... a certificate of declination not later than the <del>third day after the primary election</del> <u>third day after the thirteenth Tuesday preceding such primary election.</u>
Last day to fill a vacancy after a declination to an independent petition nomination for federal office.	§ 6-158 (12)	8/11/2014	12. A certificate to fill a vacancy caused by a declination of an independent nomination for an office to be filled at the time of a general election shall be filed not later than the sixth day after the <del>eleventh</del> <u>thirteenth</u> Tuesday preceding such election.
Last day to decline after acceptance if nominee loses party primary.	§ 6-158 (11)	8/8/2014	
<b>Independent Petitions For State/Local Office</b>			
First day for signing nominating petitions for state/local office.	§ 6-138 (4)	7/8/2014	
Dates for filing independent nominating petitions for state/local office.	§ 6-158 (9)	8/12/2014 - 8/19/2014	

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Last day to accept or decline independent petition nomination for state/local office.	§ 6-158 (11)	8/22/2014	
Last day to fill a vacancy after a declination of independent petition nomination for state/local office.	§ 6-158 (12)	8/25/2014	
Last day to decline after acceptance of independent petition nomination if nominee loses party primary.	§ 6-158 (11)	9/12/2014	
<b>Voter Registration</b>			
<b>Federal Primary Election</b>			
Mail registration: Last day to postmark application and last day it must be received by board of elections.	§ 5-210 (3)	5/30/2014 - 6/4/2014	
In person registration: Last day application must be received by board of elections to be eligible to vote in primary election.	§§ 5-210, 5-211, 5-212	5/30/2014	
Change of Address: Changes of address received 20 days before an election must be completed before such election.	§ 5-208 (3)	6/4/2014	
<b>Voting by Absentee Ballot</b>			
<b>For Federal Primary</b>			
Last day to postmark application for ballot.	§8-400(2)(c)	6/17/2014	
Last day to apply in person for a ballot.	§8-400(2)(c)	6/23/2014	
Last day to postmark ballot and date it must be received by the board of elections.	§8-412(1)	6/23/2014 - 7/1/2014	
Last day to deliver ballot in person to the county board, by 9 PM.	§8-412(1)	6/24/2014	
<b>Military/Special Federal (UOCAVA) Voters for Federal Primary</b>			
Last day for a BOE to receive application for Military or Special Federal ballot if not previously registered.	§ 10-106(5) §11-202	5/30/2014	

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Last day for a BOE to receive Military or Special Federal absentee application if previously registered.	§ 10-106(5) §11-204(4)	6/17/2014	
Last day to apply in-person for Military absentee if previously registered.	§ 10-106(5)	6/23/2014	
Deadline to transmit Military/Special Federal absentee ballots for Federal Primary to voters with valid applications on file.	§ 10-108(1) §11-204(4)	5/10/2014 (45 days)	<p>§ 10–108. Military voters; distribution of ballots to</p> <p>1. (a) Ballots for military voters shall be mailed or otherwise distributed ... not later than <u>forty-five days before a primary or general election for federal offices or</u>; thirty-two days before a primary or general election <u>for state/local offices</u>;</p> <p>§ 11–204. Processing of applications by board of elections</p> <p>4. If the board of elections shall determine that the applicant making the application provided for in this section is qualified to receive and vote a special federal ballot, it shall, as soon as practicable after it shall have so determined, or not later than <u>forty-five days before a primary or general election for federal offices or</u>; thirty-two days before each general or primary election <u>for state/local offices</u>;</p>
Last day to post mark Military/Special Federal ballot and date it must be received by the board of elections.	§ 10-114(1) § 11-212	6/23/2014 7/1/2014	
<b>Military/Special Federal (UOCAVA) Voters for General Election</b>			
Last day for a BOE to receive application for a Military absentee ballot if not previously registered.	§ 10-106 (5)	10/24/2014	10 days is Saturday, October 25th. Date moves back to previous business day, Friday, October 24th.
Last day for a BOE to receive a Military absentee application, if by mail and previously registered.	§ 10-106 (5)	10/28/2014	
Last day for a BOE to receive application for Special Federal absentee ballot if not previously registered.	§ 11-202 (1)	10/10/2014	
Last day for a BOE to receive a Special Federal absentee application if previously registered.	§ 11-204 (4)	10/28/2014	
Last day to apply personally for a Military absentee ballot if previously registered.	§ 10-106 (5)	11/3/2014	

Event	Basis in Law or Court Order	Date	Summary of Law or Court Order Where a statute has been superseded by court order for Federal contests – added language is shown <u>underlined</u> and changed language has been <del>struck</del> through.
Deadline to transmit Military/Special Federal general election absentee ballots for federal offices to be filled at the General Election to voters with valid applications on file.	§ 10-108(1) § 11-204(4)	Saturday, 9/20/2014 (45 days)	<p>The following statute has been superseded. Changes are shown in the following manner – new language is shown underlined.</p> <p>§ 10–108. Military voters; distribution of ballots to 1. (a) Ballots for military voters shall be mailed or otherwise distributed ... not later than <u>forty-five days before a primary or general election for federal offices or</u>; thirty-two days before a primary or general election <u>for state/local offices</u>;</p> <p>§ 11–204. Processing of applications by board of elections 4. If the board of elections shall determine that the applicant making the application provided for in this section is qualified to receive and vote a special federal ballot, it shall, as soon as practicable after it shall have so determined, or not later than <u>forty-five days before a primary or general election for federal offices or</u>; thirty-two days before each general or primary election <u>for state/local offices</u>;</p>
Last day to postmark Military/Special Federal ballot and date it must be received by the board of elections.	§10-114(1) §11-212	11/3/2014 11/17/2014	