State of New York

Executive Chamber

No. 202.46

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, and further, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through July 30, 2020 the following:

- Sections 6-138, 6-142, 6-158, 6-210, 6-206, and 15-108 of the Election Law in relation to independent nominations are modified as follows: Independent nominating petitions for an office to be filled at the time of the general election or any village election shall be filed between July 27 and July 30, 2020.
    - A certificate of acceptance or declination for an independent nomination for an office to be filled at the time of general election or at a village election shall be filed not later than August 3, 2020.
    - A certificate to fill a vacancy caused by a declination of an independent body for an office to be filled at the time of the general election or at a village election shall be filed not later than August 6, 2020.
    - A signature made earlier than July 1, 2020, or later than July 30, 2020, shall not be counted upon a petition for an independent nomination for an office appearing on the general election ballot or at a village election.
    - For any election in 2020, the signature requirements on an independent nominating petition for an independent nomination for the general election for any office that is not determined by a statewide election shall be whichever is less: (i) three and three tenths percentum of the total number of votes cast for governor at the last gubernatorial election in such unit, excluding blank and void votes, or (ii) a number equal to seventy percentum of the statutory minimum number provided for by subdivision 2 of section 6-142 of the election law, or for a village election, seventy percentum of the statutory minimum provided for in subdivision 6 of section 15-108 or subdivision 4 of section 6-206 of the election law. For an office determined by a statewide election, the signature requirements on an independent nominating petition shall be at least 30,000 valid signatures with at least 330 valid signatures being from each of one-half of the congressional districts for the State.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives:

- The directive contained in Executive Order 202.13, as extended by Executive Order 202.26 and 202.44, is hereby rescinded insofar as independent nominating petitions may be circulated, and signatures collected beginning July 1, 2020, consistent with this Executive Order, and filed consistent therein.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this thirtieth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor