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**GUIDANCE: CHAPTER 744 OF THE LAWS OF 2022  
CHANGES TO SPECIFICATIONS OF OBJECTIONS  
Revised April 17, 2023**

Chapter 744 of the Laws of 2022 changed the procedures for ballot access objections, implementing new mandatory requirements. This law has an effective date of March 23, 2023. The new law establishes standardized, uniform, mandatory procedures and notices surrounding the objection process.

**I. Presumption of Validity**

“Any petition or certificate filed with the office or board charged with the duty of receiving it shall be presumptively valid if it is in proper form and appears to bear the requisite number of signatures, authenticated in a manner prescribed by this chapter.”<sup>1</sup>

Facial validity ideally is determined at or near the time the document is filed. If the board “splits,” the document retains its presumption of validity. This determination is commonly called the Prima Facie Review.

The State Board of Elections has promulgated several review forms to document this process. See Appendix A.

**II. Standing to Object**

Who can object to what? The election law distinguishes between public offices and party positions.

Designating petitions, opportunity to ballot petitions, independent nominating petitions, and certificates for public office: Any registered voter in the relevant political subdivision.

- No party enrollment requirement.
- Residence is not enough. The objector must be registered to vote.

Designating petitions and opportunity to ballot petitions for party positions: Any enrolled voter residing in the relevant political subdivision.

- Must be enrolled in the party.
- Must be registered to vote and reside in the political subdivision.

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<sup>1</sup> NYS Election Law 6-154(1)

Examples of party positions:

- State Committee Member
- Judicial Delegate or Alternate Delegate
- County Committee Members

### **III. The General Objection**

General objections can take many forms. The objection could be written out or typed and must contain the following elements:

- Identity of objector.
- Residency of objector.
- Petition and candidates objected to.

The general objection does not need to be notarized and the objector is not required to “serve” the general objection on the candidate or candidates objected to. Sample general objection form and letter are attached as Appendices B and C.

The general objection triggers the right of objector to file specifications of objections within six days following the general objection. The general objection does not need to specify any ground; specifications of objections list the grounds for disqualifying the petition and/or individual signatures.

### **IV Timing of Objections**

#### *General Objection*

The general objection is due “within three days after the filing of the petition or certificate to which objection is made...”<sup>2</sup>

If objecting to a certificate that was required but was not filed, such objection is due within three days after the last day it could have been filed.

#### *Specific Objection*

Specifications are due six days after the general objection is filed.

#### Exceptions

- Objections related to a special election for state legislature follow a different schedule. General objections are due one day after the document objected to is filed and specifications are due within three days thereafter.<sup>3</sup>
- When a candidate is nominated by an independent nominating petition and thereafter nominated by a party, the independent nominating petition can be objected to “within three days after the filing of such [party] certificate...”<sup>4</sup>

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<sup>2</sup> NYS Election Law 6-154(2)

<sup>3</sup> Chapter 164 of the Laws of 2022

<sup>4</sup> NYS Election Law 6-154(2)

- Village elections (other than those run by County Boards of Election on the same day as the November General Election) follow a different schedule. When the Village Clerk administers the election<sup>5</sup> or when the County Board administers the village election in March or June<sup>6</sup>, general objections are due one day after the document is received by mail or one day after the last day to file the document, whichever is later. Specifications are due within two days thereafter.

*Computation*

The day the document is filed or received is day zero. For example:

Filed on Tuesday = Day Zero  
 Wednesday = Day One  
 Thursday = Day Two  
 Friday = Day Three (Deadline)

*Petitions Filed by Mail (Outside of New York City)*

The general objection is due three days after the board receives (time stamps) the petition or certificate. For example: A petition is timely mailed on the last day to file (Thursday), but arrives at the board within “two business days” (on the following Monday). The General Objection is due three days after the receipt by the board (the next Thursday). The objector cannot be expected to know the petition was originally mailed until he or she receives notice via the board, thus the time is extended.

*Saturday, Sunday, Holidays*

If the last day to object falls on a weekend day or official holiday, the deadline to object moves to the next business day.

Example A: Petition if filed on Wednesday. The third day is Saturday. The objection deadline shifts to Monday.

Example B: Petition if filed on Thursday. The third day is Sunday. The objection deadline shifts to Monday.

*Hours for In Person Filing of Objections*

Outside of New York City, objections may be filed in person between 9AM and 5PM on an authorized day to receive filing.

Exceptions:

- The Westchester County Board of Elections is open and receives filings on the last day between 9AM and Midnight.

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<sup>5</sup> NYS Election Law 15-108(10)

<sup>6</sup> NYS Election Law 6-212

- If a filer “is at the counter” to file before 5PM, but cannot be process until after 5PM, the filing is deemed timely. Timestamp the filing and make a bipartisan annotation (initials) on the filing indicating the filer was in line before 5PM.

### *Specifications of Objections*

Specifications are due six days after the general objections. Unlike the due date for the general objection, the due date for specifications is measured from the filing date with no extension for mailing. Example: The General Objection is mailed (thus filed) on Tuesday and arrives at the board on Wednesday. The specification is due six days from Tuesday, the following Monday.

## **V Contents of Specifications**

Specifications must contain:

- The volume number, page number, and line number for each signature for which an objection is made.
- The objection reason(s) must be clearly stated and objections to a single signature “should be” grouped together.
- “Symbols and/or abbreviations” may be used to state objections if “a sheet explaining the meaning...is attached...”
- The total number of signatures objected to shall be set forth.

Note: Specifications of objections do not require notarization. A sample specification cover sheet is attached as Appendix D. A sample key and specification page are attached as Appendices E and F.

## **VI Service of Specifications: When and How**

It is now **mandatory** that the objector send “a duplicate copy” of the specifications:

- For a petition or certificate for public office – send to each objected to candidate named thereon.
- For a petition for party position – send to either each objected to candidate named thereon or to the first named person on the committee to fill vacancies.
- For an opportunity to ballot petition – send to all members of the committee to receive notices.

### *Method of Service*

There are only two methods permitted for service by an objector on an objected to candidate:

- Personal Delivery; or
- Overnight Mail.

What constitutes overnight mail?

- USPS Priority Express NEXT DAY – Gold Standard
- New York State Election Law 1-106 (3) probably makes overnight, NEXT DAY services from DHL Express, FedEx Overnight, and UPS Next Day sufficient.

**Important:** Prior law required certified or registered mail. That is no longer the case. **Overnight mail is now required.**

#### **VII Service of Specifications: Deadline**

The objector must serve the specifications of objections on the objected to candidate(s) on or before “the date” of filing the objection with the board of elections.

Example: Specifications are filed at the board at 9:05AM, but the service on the required candidate(s) occurs by express mailing done at 10AM the same day. This is acceptable because the service occurred on “the date” when specifications were filed at the board.

#### **VIII Proof of Service**

Proof of service that specifications were served on the required person must be filed with the board of elections. The proof may:

- Accompany the specifications; or
- “Be received by the end of two business days following the filing of specifications, whichever is later.”

**Warning:** If specifications are “filed” by mail, the date of the mailing starts the two-day clock for filing proof of service of specifications of objections. The two days are calculated from the time of mailing, not from when the board receives the specifications.

#### *Form of Proof of Service*

Acceptable proofs include either:

An affidavit duly notarized from the person who either personally served the specifications or who duly mailed the specifications by overnight mail (stating who was served, when they were served, what was served, and by what means).

Documents from the post office showing that the overnight express mail item was sent to the appropriate persons. The documents should evidence receipt by the mailing entity and the address and name of the person(s) the specifications were sent to. The typical receipt provided by the United States Postal Service no longer includes the name or address of the recipient in one document, and the online tracking does not provide specific delivery address information. Accordingly, it is advisable to obtain from the USPS a “Certificate of Mailing” which is known as “PS Form 3817” in addition to the payment receipt. The mailer must ask for the

Certificate of Mailing form. Acceptable proof of service can be demonstrated by filing with the board of elections the Certificate of Mailing *along with either* the register receipt showing purchase of Express 1-Day mailing *or* the tracking receipt.

Filing only the relevant tracking information or register receipt should be considered substantial compliance with the proof of service requirements provided the objector provides more complete proof by affidavit if called upon to do so.

A sample proof of service using a USPS Certificate of Mailing is attached as Appendix G. A sample affidavit of Service by Overnight mailing is attached as Appendix H. A sample affidavit of Service by Personal Deliver is attached as Appendix I.

### **IX Board Obligation to Provide Notice**

By overnight mail, the board SHALL give notice to the objector and objected to candidate(s) of the date or dates when the board “will consider the specifications filed, board findings, the result of and research of the specifications, and shall make a determination as to the sufficiency of such petition or certificate.” Chapter 77 of the Laws of 2023 permits boards to notify by electronic correspondence in lieu of overnight mail, provided the candidate or objector consents. A sample notice letter is attached as Appendix J.

Copies of the board’s research on each specification shall accompany such notice. The New York State Board of Elections provides this by an electronic link that allows the persons receiving the notice to download the documents. (WeTransfer.com). Sample objection responses are attached as Appendix K. Staff worksheet examples are attached as Appendix L.

### **X Opportunity to Be Heard**

The objector, candidates (or their respective agents) must have an “opportunity to be heard” as to the “validity of each specific objection.” The opportunity to be heard “may be by written submission or oral presentation in the discretion of such officer or board.” The board cannot “deny the objector or the candidate or their agents an opportunity to be present when the determination as to validity is made.”

Exception: If the petition fails prima facie review (confirmed by majority vote of the board), no hearing is required. The confirming vote should be done in public.<sup>7</sup>

The board meets to make determinations on specifications. The board can make these determinations at the same meeting it rules on the validity of the petition, or it can be a separate meeting. These meeting(s) must be public, and notice must be provided to the candidates and objectors.

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<sup>7</sup> NYS Election Law 6-154(6)

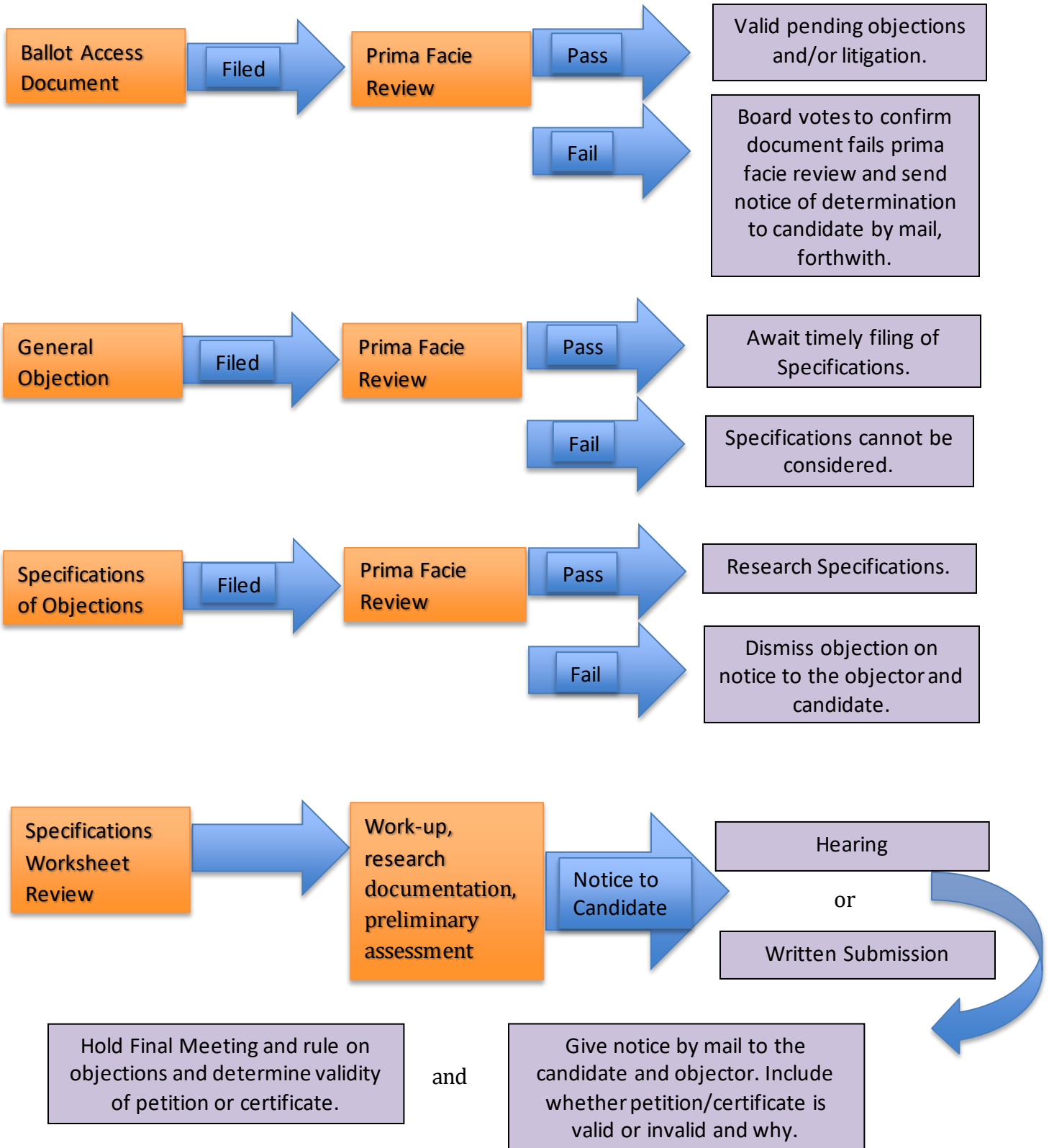
## **XI Notice of Determination**

When a board makes any determination that a petition or certificate is “sufficient or insufficient” the board must provide notice to the candidates (and if there is an objection) to the objector.

The above determination must be sent “forthwith” “by mail”. A sample determination notice is attached as Appendix I.

If the candidate has specified in writing an agent (the writing must provide the name, address, email, and telephone number of the agent), the agent can “represent” the candidate or objector who is to receive determinations on behalf of the candidate or the objector.

**XII Process Flows**





## Certificate for Designation or Nomination

*(Section 6-156)*

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Timely  Yes  No

Correct Board  Yes  No

Proper # Designated  Yes  No

Party Name  Yes  No

Candidate Name  Yes  No

Candidate Address  Yes  No

Office & District  Yes  No

Signed  Yes  No

*(by Presiding Officer & Secretary)*

Committee Rule Attached  Yes  No

*(if necessary)*

Other \_\_\_\_\_  
\_\_\_\_\_

In compliance  Not in compliance

# Acceptance

(Section 6-146)

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Candidate

\_\_\_\_\_  
Office/District

\_\_\_\_\_  
Party

Timely

Yes

No

Candidate Name

Yes

No

Office & District

Yes

No

Party Name

Yes

No

Signed

Yes

No

Acknowledged

Yes

No

Other \_\_\_\_\_  
\_\_\_\_\_

In compliance

Not in compliance

# Authorization

(Section 6-120)

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Candidate

\_\_\_\_\_  
Office/District

\_\_\_\_\_  
Party

Timely

Yes

No

Candidate Name

Yes

No

Office & District

Yes

No

Party Name

Yes

No

Signed

(by Presiding Officer & Secretary)

Yes

No

Acknowledged

Yes

No

Other \_\_\_\_\_  
\_\_\_\_\_

In compliance

Not in compliance

# Substitution

(Section 6-148)

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Candidate	Office/District	Party
Timely	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Old Candidate Name	<input type="checkbox"/> Yes	<input type="checkbox"/> No
New Candidate Name	<input type="checkbox"/> Yes	<input type="checkbox"/> No
New Candidate Address	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Office & District	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Cause of Vacancy	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Signed</b> <i>(by Majority of Committee)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Affidavit of Signatories</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Consent Appended</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Consent Signed &amp; Acknowledged</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Other _____		
_____		

<input type="checkbox"/> In compliance	<input type="checkbox"/> Not in compliance
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# Declination

(Section 6-146)

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Candidate

\_\_\_\_\_  
Office/District

\_\_\_\_\_  
Party

Timely

Yes

No

Candidate Name

Yes

No

Office & District

Yes

No

Party Name

Yes

No

Signed

Yes

No

Acknowledged

Yes

No

Other \_\_\_\_\_  
\_\_\_\_\_

In compliance

Not in compliance

# Objection

Candidate Name \_\_\_\_\_

Office & District \_\_\_\_\_

Objector Name \_\_\_\_\_

Party \_\_\_\_\_

## General Objection:

Petition Filed \_\_\_\_\_

Objection Due \_\_\_\_\_

Objection Filed \_\_\_\_\_

Objection Postmarked \_\_\_\_\_

# of Signatures on Petition \_\_\_\_\_

Objector Has Standing?  Yes  No

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

In compliance

Not in compliance

## Specific Objection:

Specifications Due \_\_\_\_\_

Specs Filed \_\_\_\_\_

Specs Postmarked \_\_\_\_\_

Specs Timely?  Yes  No

Match Objector?  Yes  No

Proof of Service?  Yes  No

Reviewed by: \_\_\_\_\_ and \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

In compliance

Not in compliance

Appendix B: Sample General Objection Form

Date: \_\_\_\_\_

NYS Board of Election  
40 North Pearl St, Suite 5  
Albany, NY 12207

Objector Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Objector Telephone: \_\_\_\_\_

Objector Email: \_\_\_\_\_

The objector, being a duly qualified voter and pursuant to the provisions of the New York State Election Law, hereby objects to the (Designating/Opportunity to Ballot Petition/Independent Nominating Petition/Certificate of Nomination, etc.) which was filed with the New York State Board of Elections on or about \_\_\_\_\_, which purports to name the following as a candidate(s) in the Primary Election to be held on \_\_\_\_\_ for the office indicated.

Candidate(s) Name: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Public Office: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Political Party: \_\_\_\_\_

Take notice that I will specify the basis of my general objection within the time provided by law.


Objector Signature: \_\_\_\_\_

Appendix C: Sample General Objection Letter

Date: 4/11/22

NYS Board of Elections  
40 North Pearl Street, Suite 5  
Albany, NY 12207-2729

I, Colin D. Smith, a duly qualified voter residing at  
5 Hemlock Circle in the Town or City  
of Peekskill in Westchester County, State of  
New York, hereby object to the Democratic party designating/  
nominating petition filed on 4/6/22, naming  
Andre K. Rainey as a candidate for the party position  
or public office of NYS Assembly, District 95

  
Signature of Objector

RECEIVED - NYSBDE  
APR 11 '22 PM 2:28



Appendix D: Sample Specification of Objections

NYS Board of Elections  
40 North Pearl Street, Suite 5  
Albany, NY 12207-2729

April 16 2022

I, Colin D. Smith a duly qualified voter residing at 5 Hemlock Circle, Peekskill, State of New York, County of Westchester, having duly filed General Objection on April 11, 2022, to the Democratic Party Designating Petition filed on April 6, 2022 naming Andre Rainey as a candidate for the party position/public office of New York State Assembly for the 95<sup>th</sup> Assembly District, Democratic Party, I do hereby specify the objections thereto, in accordance with §6-154 of the NYS Election law as follows:

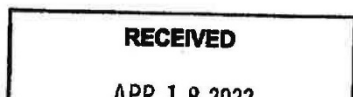
Line By Line Specific Objections: Attached  
Key to Objections: Attached

Total Number of Signatures in Petition filed	862
Total number of invalid Signatures	862
Total number of valid Signatures	0
Total Number Required	500

In addition to the line-by-line objections attached, the entire designating petition is invalid because of Candidate Andre Rainey's inconsistent and mutually exclusive claims of residence at two different addresses; under New York State Election Law, you may only have one "residence" within the meaning of the law. At various points in this petition, Candidate Rainey has claimed to reside at both 110 Washington St and 634 Belden Street (Rear). Since both cannot be accurate, by definition one of the two is inaccurate, and since the significant misstatement is by the Candidate the petition as a whole is invalid.

- On every page of the petition, in the header section identifying him as the candidate supported by the petition, Candidate Rainey has printed that he resides at "634 Belden Street, Rear, Peekskill, NY 10566". This is the address at which he is registered to vote.
- Conversely, Candidate Rainey has indicated he resides at "110 Washington Street, Peekskill, NY 10566" in the following locations: the cover pages to Volumes 1 and 2; the witness statements for Volume 1, Pages 2-10 and 53-76, and Volume 2, pages 1 and 2; and on Page 76, Line 11, which he signed.

**THIS IS AN INSUFFICIENT NUMBER OF SIGNATURES TO DESIGNATE A  
CANDIDATE FOR THE SUBJECT PARTY PETITION,**



  
Signature of Objector Colin D. Smith  
April 16 2022

## Appendix E: Sample Specifications Key

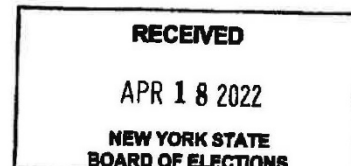
### Guide to challenge codes, specifications of objections

#### Objections to witness statement

SW-NE = Subscribing witness not enrolled as a member of the New York State Democratic Party  
SW-NR = No voter with the name stated is registered at the address stated for the subscribing witness  
WNS ( ) = Wrong number of signatures stated, brackets indicate correct number for page  
SW-ALT = There is an uninitialed alteration to the witness statement  
IA = Incomplete Address stated for witness  
DATE = Date in witness statement is prior to date on any one or more signature(s)  
SW-ILL = Witness name, signature, date, or address is illegible  
FRAUD = The sheet shows evidence of systematic fraudulent behavior, attributable to the subscribing witness, rendering all such signatures invalid.  
SW-DNR = Subscribing witness, who is the candidate, has indicated a different residence address in the section of the petition identifying him as a candidate for office (634 Belden St, Rear) than he has provided in the witness statement (110 Washington St), when they must match.  
SW-WT = Wrong Town or City listed, or no Town or City listed  
SW-WC = Wrong County listed, or no County listed  
UNSIGNED = Subscribing witness did not sign and date the page  
WPN = Wrong page number  
POS = "Page Out of Sequence," i.e. page 45 is placed before page 40

#### Objections to signers

NE = "Not Enrolled," signer is not enrolled as a member of the New York State Democratic Party  
NR = "Not Registered", no voter with the name stated is registered at the address stated  
OD = "Out of District", petition signer does not live in the 95<sup>th</sup> Assembly District  
WT = "Wrong Town," petition signer's legal Town or City of residence is incorrect or omitted  
WC = "Wrong County", the signer resides in different county than specified in the petition header  
ILL = "Illegible," petition signer name, signature, date, or address is illegible; an illegible signature does not match the purported signer's official registration documents.  
ALT = "Altered", there is an uninitialed alteration.  
PRINT = "Printed", signature is printed and not properly signed in the same manner as the purported signer's official registration documents.  
NFN = "No first name," or otherwise incomplete signature that does not match the purported signer's official registration documents.  
WA = "Wrong Address," Petition signer does not reside at the address stated  
AI = "Incomplete Address", i.e. "Main Street" without a street number  
PB = "PO Box," petition signer uses a PO Box rather than their residence address  
SW = "Self witness," Petition signer is also the subscribing witness  
ND = "No date"  
DOS = "Date Out of Sequence," i.e. Line 7 says March 28, but Line 8 says March 27, an earlier date  
SH = "Same Handwriting," i.e. two or more lines appear to have been written by the same person  
  
SAP ({Candidate} Vol. \_\_ P. \_\_ L. \_\_) = Signer signed another petition on the same date or earlier at the volume, page, and line specified in the petition designating another candidate for this office.  
  
DUP (V\_\_ P\_\_ L\_\_) = Signed this petition on the same date or earlier at the Page and Line indicated





Appendix F: Sample Specification Page

Signatures Claimed: 14 Signatures Valid: 6

Vol.	Page	Line	Objections to Specific Lines	Objections to Entire Sheet
1	1	1	SAP (Colin D. Smith V1 P214 L9)	
1	1	2		
1	1	3	SAP (Colin D. Smith V1 P105 L3)	
1	1	4		
1	1	5	ILL, NE, NR	
1	1	6	ILL, NE, NR	
1	1	7	ILL, NE, NR	
1	1	8		
1	1	9		
1	1	10		
1	1	11	NE	
1	1	12	SAP (Colin D. Smith V1 P1 L10)	
1	1	13		
1	1	14	OD, DOS, WT, WC	
1	1	15		

Appendix G: USPS Certificate of Mailing

	<b>UNITED STATES POSTAL SERVICE®</b>	<b>Certificate Of Mailing</b>	To pay fee, affix stamps or meter postage here.
<small>This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.</small>			
<b>From:</b>	<u>Return Address</u>		
	<u>123 Main Street</u>		
	<u>City, State, ZIP Code</u>		
	_____		
<b>To:</b>	<u>Recipient Address</u>	<b>Postmark Here</b>	
	<u>123 Main Street</u>		
	<u>City, State, ZIP Code</u>		
	_____		
	_____		
PS Form <b>3817</b> , April 2007 PSN 7530-02-000-9065			

Appendix H: Sample Affidavit of Service by Overnight Mail

**AFFIDAVIT OF SERVICE BY OVERNIGHT MAILING OR AUTHORIZED DELIVERY SERVICE**

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a true copy of the **SPECIFICATIONS OF OBJECTIONS** by mailing or sending the same in a sealed envelope, with postage or sending fees prepaid thereon, **BY OVERNIGHT UNITED STATES MAIL OR BY OVERNIGHT DELIVERY FROM A PROVIDER AUTHORIZED BY ELECTION LAW § 1-106(3)(a)** in a post office or official depository of the U.S. Postal Service or of an authorized provider, within the State of New York, addressed to the last known addressee(s) as indicated below:

<i>Name of Candidate(s) Served:</i>	<i>Address(es) Specifications of Objections Mailed/Sent to:</i>

\_\_\_\_\_  
**Signature of Affiant**

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_:

\_\_\_\_\_  
**Notary Public**

Appendix I: Sample Affidavit of Service by Personal Service

**AFFIDAVIT OF SERVICE BY PERSONAL SERVICE**

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says:

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a true copy of the SPECIFICATIONS OF OBJECTIONS by personally delivering same to the following person(s) at the address indicated:

<i>Name of Candidate(s) Served:</i>	<i>Address of Candidate (where candidate was served)</i>

\_\_\_\_\_  
**Signature of Affiant**

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_:

\_\_\_\_\_  
**Notary Public**

Appendix J: Sample Notice Letter (Opportunity to Be Heard)

Peter S. Kosinski  
Co-Chair

Anthony Casale  
Commissioner

Todd D. Valentine  
Co-Executive Director



40 NORTH PEARL STREET, SUITE 5  
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Co-Executive Director

April 25, 2022

**Paul Nichols**

111-08 133<sup>rd</sup> Street, South Ozone Park, Ny 11420

Dear Candidate/s:

Specifications have been filed against the designating petition naming the above individual/s as candidate/s of the Democratic party for the public office of Governor of the State of New York.

The staff of the State Board has reviewed the objections. You may access the staff worksheets at the following link: <https://we.tl/t-BYb4Bi8CHS>

A hearing has been scheduled to review the objections and the staff worksheets on: **Thursday, April 28, 2022, at 12:00 p.m.**

You, or a representative, may attend in person or remotely utilizing the SBOE's WebEx system. Personal or remote appearance by the parties involved in the action is not required.

<https://meetny.webex.com/meetny/j.php?MTID=m35a3c99e3db8b2787be204e41b6ac6c6>

Parties shall provide any responses to the objections and staff worksheets in writing no later than 12:00 noon, April 27, 2022. There will be no way for the SBOE to accept any materials at the hearing. The assigned SBOE hearing officer and clerk will review all materials prior to the hearing. At the hearing parties will be allowed to make arguments in support of their written materials.

If not already provided, an email address for you or your designated representative may be provided in order to send future electronic communications for the hearing.

Please respond by email to [CoExecutiveDirectors@elections.ny.gov](mailto:CoExecutiveDirectors@elections.ny.gov) to confirm either that you or your representative will be attending the hearing or that you have chosen not to attend.

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Kristen Zebrowski Stavisky  
Co-Executive Director

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Todd D. Valentine  
Co-Executive Director

Todd M Kerner, Objector, 49 Spruce Street, Clifton Park, NY 12065  
Amaka Onyekelu Eze, Candidate Contact, [nicholsfornewyork@gmail.com](mailto:nicholsfornewyork@gmail.com)

## Appendix K: Sample Objections Responses

### Summary of Objections for Researching

	Common Symbol	Type of Objection	Description of Ruling	Notes for Researching Objection
<b>REGISTRATION AND ENROLLMENT ISSUES</b>				
1	NE	Not Enrolled in Proper Party	Voter is not enrolled in the party of the petition	Search in district of petition only
2	NR	Not Registered	Voter is not registered to vote in the district which the petition covers.	Search in district of petition only
<b>ADDRESS ISSUES</b>				
3	WA	Wrong Address (not registered at address)	Voter's address does not match the residence address in NYSVOTER	Only look at residence address, do not look at mailing address
4	AI	Address Incomplete or Insufficient	Voter's address fails to list the house number and street.	Good objection. Search in district of petition only, note that zip-code or apartment number are not needed
5	NA	No Address	Voter has failed to list any address	Good objection. Address needs to be listed.
6	OD	Out of District	Voter does not reside in the district of the petition.	Search in district of petition only
<b>TOWN/CITY ISSUE</b>				
7	NWT	No Town/Wrong Town	Voter has failed to list the correct town or city in which they reside	Be sure to look at the town field in NYSVOTER and not in the mailing or residence address field. Must be a town, not a village, hamlet or post office
8	ND	No Date	Voter has failed to list the date next to their signature	Good objection.
9	DUP	Duplicate Signature on Same Petition	Voter has signed twice in the same petition.	The signature that has the earlier date is the good one.
10	SAP	Signed Another Petition for Same Office (must give name of petition, page #, and line #)	Voter has signed two different petitions for the same office.	The signature that has the earlier date is the good one.
11	DSP	Date on Witness Statement prior to Date of Signature	Witness has dated their statement before any of the voters signature dates.	Any signature dated after the witness's date is a bad signature
<b>SIGNATURE/FRAUD ISSUES</b>				
12	Signature or Fraud	Signature of voter or witness does not match record in NYSVOTER	SBOE cannot make any rulings as to fraudulent, illegible or imperfect signatures.	Bad objection.
13	ILL	Illegible	SBOE cannot make any rulings as to fraudulent, illegible or imperfect signatures.	Bad objection.
14	NFN	No First Name	SBOE cannot make any rulings as to fraudulent, illegible or imperfect signatures.	Bad objection.
15	PR	Printed Name, not Signature	SBOE cannot make any rulings as to fraudulent, illegible or imperfect signatures. No ruling	Bad objection.
16	P	Pencil	Can use any type of pen or pencil to sign petitions	Bad objection.
<b>PAGE NUMBERING ISSUES</b>				
17	SN	Sheet Not Numbered	These are correctable	Mark as HO so they know to have corrective notice sent out
18	SNSN	Petition Sheet not Sequentially Numbered	These are correctable	Mark as HO so they know to have corrective notice sent out



ALTERATION ISSUES				
19	ALT	Alteration to the voter's DATE	Any changes to the voter's date must be initialed but it can be done by anybody.	If no initial then Good Objection
		Alteration to the voter's SIGNATURE	Any changes to the voter's signature must be initialed by the voter to show they adopted the change.	If no initial then Good Objection
		Alteration to the voter's ADDRESS OR TOWN	Any changes to any other info on the voter's line (such as address or town) DOES NOT need to be initialed	Bad Objection
20	SWALT	Witness Statement Altered ABOVE the Signature	Any changes to any information in the witness statement that is above the witness's signature must be initialed by the witness to show they adopted the change.	If no initial then Good Objection, entire sheet is bad
		Witness Statement Altered BELOW the Signature	Any changes below the witness's signature, usually the town and county they live in, DO NOT need to be initialed	Bad Objection
WITNESS STATEMENT INFORMATION ISSUES				
21	SWNC	No county listed for witness	Witness must provide the county of their residence	Entire sheet is bad
22	SWNWT	No town or wrong town listed for witness	Witness must provide the correct town in which they reside.	Be sure to look at the town field in NYSVOTER and not in the mailing or residence address field. Must be a town, not a village, hamlet or post office Entire sheet is bad
23	SWSM	Witness Signature Omitted	Witness has failed to sign their statement	Entire sheet is bad
24	SWSO	Number of Signatures Omitted in Witness Statement	Witness has failed to list the number of signatures on the page	Entire sheet is bad
25	SWNS	Wrong Number of Signatures Stated	Witness has put in the wrong number of signatures on the page	If the witness has overstated the number - entire sheet is NOT bad If witness has understated, then they only get credit for the number they stated.
26	SWNO	Witness Name Omitted	Witness failed to put in their name on the page.	Entire sheet is bad
27	SWWS	Witness Witnessed Own Signature	Witness has signed as a voter on the page they witnessed	Only the one voter signature is bad
WITNESS SIGNATURE/FRAUD ISSUES				
28	SWDS	Illegible Witness Signature	No ruling is to be made regarding handwriting, illegibility, etc.	Bad objection - SBOE cannot make any rulings as to fraudulent, illegible or imperfect signatures.
29	DWS	Different Witness Signature	The name of the person stated in witness statement is not the name signed in witness statement	Good objection, but no illegibility or handwriting issues can be considered

Appendix L: Sample Staff Worksheets

STAFF WORK SHEET OF OBJECTIONS

SBOE Staff First Names: <u>Laurie</u> and _____					
<u>Rainey</u> Candidate	<u>AD-95</u> Office/Dist	<u>DEM</u> Party	<u>Smith</u> Objector	<u>1</u> Vol #	<u>1</u> Page #
<b>NUMBER OF SIGNATURES CLAIMED ON PAGE IN WITNESS STATEMENT</b>					<u>14</u>

STAFF REVIEW OF (Line by Line) OBJECTIONS.									
Enter "G" if the Objection is Good (the signature is "out"). Enter "B" if the Objection is Bad (the signature is "in").									
Line	Not Registered	Not Enrolled	Address Wrong or Incomplete	Town/City Wrong or Missing	Other Objection (code)	Other Objection (code)	Notes	Check if Signature is OUT	Hearing Officer Review
1					SAP-G			✓	
2									
3					SAP-B				
4									
5	G	G			ILL-B			✓	
6	G	G			ILL-B			✓	
7	G	G			ILL-B			✓	
8									
9									
10									
11		G						✓	
12					SAP-G			✓	
13									
14				OD-G	DOS-G	WT-WC-G		✓	
15									
16									
17									
18									
19									
20									
<b>TOTAL Number of Signatures OUT: LINE BY LINE</b>								<u>7</u>	

STAFF REVIEW OF (Subscribing Witness) OBJECTIONS.									
Enter "G" if the Objection is Good (the signature is "out"). Enter "B" if the Objection is Bad (the signature is "in").									
Not Registered	Not Enrolled	Address Wrong or	Town/ City Wrong or	Other Objection	Other Objection (code)	Notes	Check if Page is	Hearing Officer	
<b>TOTAL Number of Signatures OUT: WITNESS OBJECTIONS</b>									

C:\USER\LELBAR\ONEAPP\DATA\LOCAL\MICROSOFT\WINDOWS\NETC\ACHE\CONTENT\OUTLOOK\EPAR\BMP\STA\F\WORKSHEET FOR OBJECTIONS.DOCX

SUMMARY SHEET of the STAFF WORKSHEETS of OBJECTIONS

Volume# 1

Petition: Rainey Candidate AD-95 Office and District DEM Party Smith Objector

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Total Number of Signatures Claimed in Petition: \_\_\_\_\_

Page#	# Claimed On Page	# Staff Found Out	Balance	Page#	# Claimed On Page	# Staff Found Out	Balance	Page#	# Claimed On Page	# Staff found out	Balance
1	14	7	7	34	9	2	7	67			
2	15	12	3	35	14	3	11	68			
3	5	3	2	36	4	2	2	69			
4	3	3	0	37	4	1	3	70			
5	2	2	0	38	15	6	9	71			
6	1	1	0	39	14	3	11	72			
7	2	2	0	40	15	3	12	73			
8	15	3	12	41				74			
9	5	3	2	42				75			
10	6	6	0	43				76			
11	15	9	6	44				77			
12	0	0	0	45				78			
13	14	11	3	46				79			
14	1	1	0	47				80			
15	11	9	2	48				81			
16	13	6	7	49				82			
17	15	12	3	50				83			
18	7	5	2	51				84			
19	0	0	0	52				85			
20	15	6	9	53				86			
21	9	5	4	54				87			
22	7	3	4	55				88			
23	15	4	11	56				89			
24	15	3	12	57				90			
25	12	12	0	58				91			
26	15	3	12	59				92			
27	15	2	13	60				93			
28	15	5	10	61				94			
29	13	7	6	62				95			
30	13	5	8	63				96			
31	5	3	2	64				97			
32	14	12	2	65				98			
33	3	0	3	66				99			

Total for this column: 165.

Total for this column: 20

Total for this column: \_\_\_\_\_

Total for all # Staff Found Out Columns of this Summary Sheet: 185