

Onondaga County Board of Elections

Objections and Specifications

General Objections

Any voter qualified to vote for a particular office may file a **General Objection** within **3 days** after the document is filed and the Board of Elections. Also, any party member living in the political subdivision may file a general objection to a party position petition. A general objection must contain the name, address, and office of the candidate being objected to. The general objection must also contain the name and residence of the objector.

The Objector then has **6 days** to file **specific objections** to the document listing item by item what they believe should be ruled invalid.

Specific Objections

6 days starts from the time of filing the General Objections by postmark if delivered by mail or timestamp if delivered in person. Specific Objections must be filed at the Onondaga County Board of Elections. ***The Objector must provide proof of service of the Specific Objections by overnight mail or proof of personal service to the aggrieved party. Service must occur before or on the date of filing. Proof of service can accompany the specifications or be received by the end of two business days following the filing of specifications whichever is later.*** The only forms of overnight mail accepted are USPS Priority Express NEXT DAY-Gold Standard or NEXT DAY services from DHL Express, FedEx Overnight, and UPS Next Day sufficient.

Specific Objections should be formatted so all objections on single petition page be made on a single objection page. A separate appendix of codes can be provided as well. See the example on our website.

Any person filing general objections to any designating, independent nominating, or opportunity to ballot petitions filed with the Onondaga County Board of Elections who thereafter files specifications of their objections to any such petition with such board shall do so in accordance with the provisions of Section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

- 1.) The volume number, page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection.
- 2.) All objections relating to a single petition page in both the individual signature and witness page shall be grouped together on a single separate page of the specifications (see example on our website).
- 3.) Symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of such symbols and/or abbreviations is attached to the specifications.
- 4.) The total number of signatures objected to shall be set forth.

Any notice and/or determinations relating to a petition for which specifications of objections have been filed shall be transmitted by the Board of Elections to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and/or determination on their behalf. Any such designation shall be in writing and include the name, address, and telephone number of any such attorney or agent.

PLEASE NOTE: Any petition, certificate of nomination, acceptance, declination, authorization, disqualification, certificates of substitution, objections, and specifications shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service, 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 two business days after the last day to file such certificates, petitions, objections or specifications shall be a fatal defect per NYS Election Law 1-106

All objection documents will be recorded in the logbook. **At the end of each day the objections received will be posted on the OCBOE website and Facebook page.**

Hearings and rulings

The Specific Objections are reviewed by a bipartisan team and their findings are reported to the Commissioners. The Commissioners notify the objector and the aggrieved party of their findings. The Commissioners will set a hearing date and all parties involved will be notified by Overnight Mail or if the candidate or objector consents via electronic correspondence. After the staff does our initial research on the specifications, we will give notice to the objector and objected to candidate(s) of the date or dates when the board will hold a hearing on the specific objections and the Board of Election’s preliminary ruling.

At the hearing, either side may present evidence as to why or why not a signature should be validated or invalidated. A secretary will be present to make record of the proceedings. **Commissioners will not rule on cases of fraud including but not limited to matching or illegible signatures leaving those determinations for court proceedings. Alterations to the witness statement above the signature line can only be cured through a court proceeding unless affidavits are filed at time of filing petitions. Cures for wrong town/city in either the witness statement or signature lines must be received within 3 days of receiving specific objections. Those cures must show that a valid postal code was used; addresses with a completely incorrect town or postal code cannot be cured.**

At the conclusion of the hearing, the Commissioners will make a final determination. It takes a unanimous decision of the Commissioners to invalidate a document. The parties involved will be notified forthwith by US Mail and electronic correspondence if provided. The ruling of the Commissioners will be noted in the logbook.

It is the policy of the Board of Elections that when we are in receipt of specifications to objections, we will only provide copies for the candidate and objector involved. Any other parties must request these documents through F.O.I.L.



Dustin M. Czarny
Commissioner (D)
Onondaga County Board of Elections



Kevin P. Ryan
Commissioner (R)
Onondaga County Board of Elections

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