

5029--A

Cal. No. 211

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sens. ADDABBO, HUNTLEY, PARKER, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, substituted by Assembly Bill No. 5705, substitution reconsidered and vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the election law, in relation to the use of certain buildings as polling places accessible to persons with disabilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 3-a and 3-b of section 4-104 of the election
2 law, as added by chapter 694 of the laws of 1989, are amended to read as
3 follows:
4 3-a. [In cities with populations of more than one hundred thousand,
5 any] ANY person or entity which controls a building for which a tax
6 exemption, tax abatement, subsidy, grant or loan for construction, reno-
7 vation, rehabilitation or operation has been provided by any agency of
8 the state or any political subdivision thereof on or after the effective
9 date of this subdivision shall agree to make available for registration
10 and voting purposes the room or rooms in such building which the board
11 or body empowered to designate polling places determines are suitable
12 for registration and voting, are accessible to physically disabled
13 voters and are as close as possible to a convenient entrance to such
14 building. Notwithstanding any other provision of law, any agency of the
15 state or any political subdivision thereof may deny a tax exemption, tax
16 abatement, subsidy, grant or loan for construction, renovation, rehabil-
17 itation or operation to a building [in any such city] which is otherwise
18 eligible for such exemption, abatement, subsidy, grant or loan if the
19 person or entity which controls such building refuses to agree to make

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 available for registration and voting purposes the room or rooms in such
2 building which the board or body empowered to designate polling places
3 determines are suitable for registration and voting, are accessible to
4 physically disabled voters and are as close as possible to a convenient
5 entrance to such building. The provisions of this subdivision shall not
6 apply to buildings used solely for residential purposes which contain
7 [less than] twenty-five dwelling units OR LESS.

8 3-b. Any person or entity conducting any program, activity or service
9 for which a loan, grant, contract, subsidy or reimbursement has been
10 provided by any agency of the state or a political subdivision thereof
11 on or after the effective date of this subdivision shall make available
12 for registration and voting purposes the room or rooms under the control
13 of such person or entity in a building [in any such city] in which such
14 program, activity or service is conducted which the board or body
15 empowered to designate polling places determines are suitable for regis-
16 tration and voting, are accessible to physically disabled voters and are
17 as close as possible to a convenient entrance to such building. Any such
18 person, organization or entity shall agree to facilitate the use of such
19 room or rooms, to the maximum extent possible, by making efforts to
20 obtain the permission and cooperation of any person or entity which
21 controls the building in which such room or rooms are located. Notwith-
22 standing any other provision of law, any agency of the state or any
23 political subdivision thereof may deny a loan, grant, contract, subsidy
24 or reimbursement to any such person or entity otherwise eligible for
25 such loan, grant, contract, subsidy or reimbursement unless such person
26 or entity agrees to make available for registration and voting purposes
27 the room or rooms in such building which the board or body empowered to
28 designate polling places determines are suitable for registration and
29 voting, are accessible to physically disabled voters as provided in
30 subdivision one-a of this section and are as close as possible to a
31 convenient entrance to such building and agrees to facilitate the use of
32 such room or rooms, to the maximum extent possible, by making efforts to
33 obtain the permission and cooperation of any person or entity which
34 controls the building in which such room or rooms are located.

35 S 2. This act shall take effect on the first of December next succeed-
36 ing the date on which it shall have become a law.