S T A T E O F N E W Y O R K

46

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to requiring the board of elections to provide a registered voter with a sample ballot prior to an election

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

Section 1. Section 4-117 of the election law is amended by adding a new subdivision 1-a to read as follows:

1-A. THE BOARD OF ELECTIONS, NOT LESS THAN TEN DAYS NOR MORE THAN TWENTY DAYS BEFORE THE DAY OF THE GENERAL ELECTION IN EACH YEAR, SHALL SEND BY FIRST CLASS MAIL ON WHICH IS ENDORSED "ADDRESS CORRECTION REQUESTED" AND WHICH CONTAINS A REQUEST THAT ANY SUCH MAIL RECEIVED FOR PERSONS NOT RESIDING AT THE ADDRESS BE DROPPED BACK IN THE MAIL, A SAMPLE BALLOT, AS REQUIRED PURSUANT TO SECTION 7-118 OF THIS CHAPTER, IN A FORM APPROVED BY THE STATE BOARD OF ELECTIONS, TO EVERY REGISTERED VOTER WHO HAS BEEN REGISTERED WITHOUT A CHANGE OF ADDRESS SINCE THE BEGINNING OF SUCH YEAR. THE BOARD OF ELECTIONS SHALL NOT BE REQUIRED TO SEND SUCH SAMPLE BALLOT TO VOTERS IN INACTIVE STATUS. IN LIEU OF SENDING SUCH COMMUNICATION WITH SUCH SAMPLE BALLOT TO EVERY REGISTERED VOTER, THE BOARD OF ELECTIONS MAY SEND A SINGLE COMMUNICATION TO A HOUSEHOLD CONTAINING MORE THAN ONE REGISTERED VOTER, PROVIDED THAT THE NAMES OF ALL SUCH VOTERS APPEAR AS PART OF THE ADDRESS ON SUCH COMMUNICATION.

S 2. Section 7-118 of the election law, as amended by chapter 157 of the laws of 1996, is amended to read as follows:

S 7-118. Ballots; facsimile and sample. The board of elections shall provide facsimile and sample ballots which shall be arranged in the form of a diagram showing such part of the face of the voting machine as shall be in use at that election. Such facsimile and sample ballots

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

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shall be either in full or reduced size and shall contain suitable illustrated directions for voting on the voting machine. Such facsimile ballots shall be mounted and displayed for public inspection at each polling place during election day. Sample ballots [may] SHALL be mailed by the board of elections to each eligible voter [at least three days] NOT LESS THAN TEN DAYS NOR MORE THAN TWENTY DAYS before the election[, or in lieu thereof, a copy of such sample ballot may be published at least once within one week preceding the election in newspapers representing the major political parties]. One copy of such facsimile shall be sent to each school in the county, providing the ninth through the twelfth years of compulsory education, and in the city of New York to each such school in the city of New York, at least one week before each general election for posting at a convenient place in such school. The board of elections shall also send a facsimile ballot to any other school requesting such a ballot.

S 3. This act shall take effect on the first of December next succeeding the date on which it shall have become a law.