

2655

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the military law and the election law, in relation to the counting of ballots of deceased military personnel

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

- 1 Section 1. The military law is amended by adding a new section 234 to
2 read as follows:
3 S 234. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY MEMBER
4 OF THE ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, ARMY RESERVE,
5 NAVAL RESERVE, MARINE CORPS RESERVE, AIR FORCE RESERVE, NATIONAL GUARD,
6 NEW YORK ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL GUARD, NEW YORK
7 GUARD OR NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILITARY BALLOT WHILE
8 ON ACTIVE DUTY, SHALL HAVE SUCH BALLOT BE COUNTED, EVEN IN THE EVENT
9 THAT SUCH SERVICE MEMBER DIES BEFORE THE DATE OF THE SCHEDULED ELECTION
10 FOR WHICH IT WAS CAST.
11 S 2. The election law is amended by adding a new section 8-413 to read
12 as follows:
13 S 8-413. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY
14 MEMBER OF THE ARMY, NAVY, AIR FORCE, MARINES CORPS, COAST GUARD, ARMY
15 RESERVE, NAVAL RESERVE, MARINE CORPS RESERVE, AIR FORCE RESERVE,
16 NATIONAL GUARD, NEW YORK ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL
17 GUARD, NEW YORK GUARD OR NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILI-
18 TARY BALLOT WHILE ON ACTIVE DUTY, SHALL HAVE SUCH BALLOT BE COUNTED,
19 EVEN IN THE EVENT THAT SUCH SERVICE MEMBER DIES BEFORE THE DATE OF THE
20 SCHEDULED ELECTION FOR WHICH IT WAS CAST.
21 S 3. This act shall take effect immediately.

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

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