

STATE OF NEW YORK

1084

2021-2022 Regular Sessions

IN ASSEMBLY

January 7, 2021

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to ballots submitted in envelopes that are partially sealed or sealed with tape, paste, or any other binding agent or device

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 3 of section 9-209 of the
2 election law, as added by chapter 141 of the laws of 2020, is amended to
3 read as follows:

4 (a) Upon the board of elections determination at or before the time of
5 canvass that an absentee ballot affirmation envelope is unsigned or that
6 an affirmation ballot envelope signature does not correspond to the
7 registration signature or there is no required witness to a mark or that
8 the envelope is returned without an affirmation envelope in the return
9 envelope or that an affirmation envelope is signed by the person that
10 has provided assistance to the voter but is not signed or marked by the
11 voter themselves or that the voter has failed to sign the affirmation
12 envelope and someone else has signed the affirmation or that a ballot
13 envelope is partially sealed, or sealed with tape, paste or any other
14 binding agent or device, the board shall, within one day of such deter-
15 mination, send to the absentee voter's address indicated in the regis-
16 tration records and, if different, the mailing address indicated on the
17 absentee ballot application, a notice explaining the reason for such
18 rejection and the procedure to cure the rejection. The board shall also
19 contact the voter by either electronic mail or telephone, if such infor-
20 mation is available to the board in the voter's registration informa-
21 tion, in order to notify the voter of the deficiency and the opportunity
22 and the process to cure the deficiency.

23 § 2. This act shall take effect immediately and shall apply to
24 elections occurring on or after such effective date.

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

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