

STATE OF NEW YORK

10081

IN ASSEMBLY

January 30, 2026

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

AN ACT to amend the election law, in relation to authorizing the electronic submission of absentee ballots

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

1 Section 1. The election law is amended by adding a new section 8-418
2 to read as follows:

3 § 8-418. Absentee voters; submission of electronic absentee
4 ballots. 1. The state board of elections shall establish and maintain an
5 electronic absentee ballot submission system through which applicants
6 may return a marked absentee ballot electronically or via electronic
7 mail. The state board of elections shall deliver such marked ballots to
8 the applicable board of elections of each county or the city of New York
9 for filing, processing and verification consistent with the provisions
10 of this chapter. In accordance with technical specifications provided by
11 the state board of elections, each board of elections shall maintain a
12 system capable of receiving and processing marked absentee ballot infor-
13 mation, including digital signatures and typed signatures, from the
14 electronic absentee ballot application transmittal system established by
15 the state board of elections pursuant to section 8-408 of this title.
16 Notwithstanding any other inconsistent provision of this chapter,
17 ballots filed using such system shall be considered filed with the
18 applicable board of elections on the calendar date such application or
19 ballot is initially transmitted by the voter through the electronic
20 absentee ballot transmittal system.

21 2. Submission of a marked electronic absentee ballot shall only be
22 available for persons residing in a country other than the United States
23 while maintaining eligibility to vote in elections in New York, military
24 voters as defined in section 10-102 of this chapter, or for persons who
25 need accommodation by reason of disability who are unable to independ-
26 ently mark a paper ballot.

27 § 2. Section 8-410 of the election law, as amended by chapter 109 of
28 the laws of 2025, is amended to read as follows:

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

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1 § 8-410. Absentee voting; method of. 1. Marking of the ballot. The
2 absentee voter shall mark an absentee ballot as provided for paper
3 ballots or ballots prepared for counting by ballot counting machines.
4 Such absentee voter shall make no mark or writing whatsoever upon the
5 ballot, except as above prescribed, and shall see that it bears no such
6 mark or writing. Such absentee voter shall make no mark or writing what-
7 soever on the outside of the ballot. In cases where the express intent
8 of the voter is unambiguous, any stray marks or writing shall not be a
9 basis for voiding a ballot.

10 2. Submission of the ballot; by mail. After marking the ballot or
11 ballots such absentee voter shall fold each such ballot and enclose them
12 in the envelope and seal the envelope. Such absentee voter shall then
13 take and subscribe the oath on the envelope, with blanks properly filled
14 in. The envelope, containing the ballot or ballots, shall then be mailed
15 or delivered to the board of elections of the county or city of such
16 absentee voter's residence or deposited in a ballot drop box established
17 by the board of elections of the county or city of the voter's residence
18 in accordance with subdivision three of this section.

19 3. Submission of the ballot; by electronic transmission. The absentee
20 voter shall then take and subscribe the oath, with blanks properly
21 filled in. Such absentee voter shall then return the ballot or ballots
22 via electronic mail or electronically to the state board of elections
23 using the electronic absentee ballot submission system established
24 pursuant to section 8-418 of this title.

25 § 3. Paragraphs (c) and (d) of subdivision 2 of section 8-408 of the
26 election law, as added by chapter 746 of the laws of 2021, are amended
27 to read as follows:

28 (c) The online absentee ballot application and submission process
29 shall provide reasonable accommodations to improve accessibility for
30 persons with disabilities and shall be compatible for use with standard
31 online accessibility assistance tools for persons with visual, physical
32 or perceptive disabilities, and meet the requirements of the latest
33 version of the Web Content Accessibility Guidelines (WCAG) Level AA.

34 (d) The state board of elections shall promulgate rules and regu-
35 lations for the creation and administration of an online absentee ballot
36 registration system pursuant to this section and for the electronic
37 submission of such absentee ballot pursuant to section 8-416 of this
38 title.

39 § 4. This act shall take effect on the first of January next succeed-
40 ing the date on which it shall have become a law. Effective immediately,
41 the addition, amendment and/or repeal of any rule or regulation neces-
42 sary for the implementation of this act on its effective date are
43 authorized to be made and completed on or before such effective date.