

STATE OF NEW YORK

4223

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

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

AN ACT to amend the election law, in relation to the mailing or delivery
of absentee ballots

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

1 Section 1. Subdivision 1 of section 8-406 of the election law, as
2 amended by section 2 of part HH of chapter 55 of the laws of 2022, is
3 amended to read as follows:

4 1. If the board shall find that the applicant is a qualified voter of
5 the election district containing [~~his~~] the applicant's residence as
6 stated in [~~his~~] their statement and that [~~his~~] the applicant's statement
7 is sufficient, it shall, as soon as practicable after it shall have
8 determined [~~his~~] their right thereto, mail to [~~him~~] the applicant at an
9 address designated by [~~him~~] them, or deliver to [~~him~~] them, or to any
10 person designated for such purpose in writing by [~~him~~] them, at the
11 office of the board, such an absentee voter's ballot or set of ballots
12 and an envelope therefor. If the ballot or ballots are to be sent
13 outside of the United States to a country other than Canada or Mexico,
14 such ballot or ballots shall be sent by air mail. However, if an appli-
15 cant who is eligible for an absentee ballot is a resident of a facility
16 operated or licensed by, or under the jurisdiction of, the department of
17 mental hygiene, or a resident of a facility defined as a nursing home or
18 residential health care facility pursuant to subdivisions two and three
19 of section two thousand eight hundred one of the public health law, or a
20 resident of a hospital or other facility operated by the [~~Veteran's~~
21 ~~Administration of the United States~~] United States Department of Veter-
22 ans Affairs, such absentee ballot need not be so mailed or delivered to
23 any such applicant but, may be delivered to the voter in the manner
24 prescribed by section 8-407 of this chapter if such facility is located
25 in the county or city in which such voter is eligible to vote. No
26 absentee ballot shall be mailed or delivered to a voter unless such
27 voter specifically requests to receive an absentee ballot.

28 § 2. 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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