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

1455

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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 an absentee ballot application

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

Section 1. Paragraph (c) of subdivision 3 of section 8-400 of the election law, subparagraph (i) as amended by chapter 234 of the laws of 1976, is amended to read as follows:

(c) A statement, as appropriate, that on the day of such election the applicant expects in good faith to be in one of the following categories:

(i) unavoidably absent from the county of his residence, or if a resident of the city of New York absent from said city, because his duties, occupation, business or studies require him to be elsewhere on such day[, and where such duties, occupation, business or studies are not of such a nature as ordinarily to require such absence, a statement briefly describing the special circumstances requiring such absence and the dates when he expects to begin and end such absence]; or

(ii) absent from the county of his residence, or if a resident of the city of New York absent from said city, because he will be on vacation elsewhere on such day[, the dates upon which he expects to begin and end such vacation, the place or places where he expects to be on such vacation, the name and address of his employer, if any, or if self-employed or retired a statement to such effect]; or

(iii) ill or physically disabled SUCH THAT THE APPLICANT WILL NOT BE ABLE TO GO TO THE APPLICANT'S POLLING PLACE FOR SUCH ELECTION; [that he has been advised by his medical practitioner or christian science practitioner, giving said practitioner's name and address, that he will not be able to go to his polling place for such election, and whether said

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

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illness is permanent or temporary; if he expects to be a patient in a hospital he shall state the name and address of said hospital;] or

(iv) entitled to a ballot because he is a qualified voter registered as an inmate or patient of a veteran's administration hospital; or

(v) detained in jail awaiting action by a grand jury or awaiting trial or confined in prison after a conviction for an offense other than a felony and stating the place where he is so detained or confined; or

(vi) absent from the county of his residence, or if a resident of the city of New York absent from said city, because of his accompanying his spouse, parent or child who falls within one of the foregoing categories; a statement that the applicant resides in the same election district as such spouse, parent or child, the name and address of such spouse, parent or child, and, unless the application accompanies the application of such spouse, parent or child, the information as to the status of such spouse, parent or child required by the applicable category.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.