

3315

2009-2010 Regular Sessions

I N A S S E M B L Y

January 26, 2009

Introduced by M. of A. LANCMAN, BRENNAN, KOON, HOOPER, FIELDS, PHEFFER, LUPARDO, GOTTFRIED, PERRY, LIFTON, REILLY, JACOBS, STIRPE, BRADLEY, GIANARIS, PAULIN, POWELL, LAVINE, KELLNER -- Multi-Sponsored by -- M. of A. GLICK, MAGEE, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to enacting the "early voting act"

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

1 Section 1. This act shall be known and may be cited as the "early
2 voting act".

3 S 2. Article 8 of the election law is amended by adding a new title 6
4 to read as follows:

5 TITLE VI
6 EARLY VOTING

7 SECTION 8-600. EARLY VOTING PROCEDURES.

8 8-602. LOCAL BOARDS OF ELECTIONS; POWERS AND DUTIES OF.

9 S 8-600. EARLY VOTING PROCEDURES. 1. NO SOONER THAN SEVEN BUSINESS
10 DAYS AND UP TO AND INCLUDING THE DAY PRIOR TO ANY GENERAL, PRIMARY OR
11 SPECIAL ELECTION FOR ANY PUBLIC OR PARTY OFFICE, PERSONS DULY REGISTERED
12 TO VOTE FOR CANDIDATES FOR SUCH OFFICE MAY VOTE BY PAPER BALLOT FOR A
13 CANDIDATE FOR SUCH OFFICE, AND SUCH EARLY VOTING PRACTICE SHALL TAKE
14 PLACE AT SUCH PERSON'S COUNTY BOARD OF ELECTIONS, OR AN ALTERNATIVE
15 LOCATION OR LOCATIONS AS OTHERWISE DESIGNATED BY AND THROUGH A COUNTY
16 BOARD OF ELECTIONS UNDER THE POWERS GRANTED PURSUANT TO THIS SECTION ON
17 OR BEFORE THE EFFECTIVE DATE OF THIS SECTION.

18 2. SUCH VOTING PROCEDURE SHALL BE MONITORED AND ADMINISTERED BY TWO
19 DULY DESIGNATED PERSONS, ONE FROM EACH MAJOR POLITICAL PARTY, AND SUCH
20 VOTING SHALL FOLLOW AND CONFORM TO ALL OTHER PROCEDURES, MEASURES AND
21 REQUIREMENTS OF CASTING A VOTE BY A VOTING MACHINE AS PRESCRIBED PURSU-
22 ANT TO THIS CHAPTER. ALL VOTES CAST WITHIN THE EARLY VOTING PERIOD SHALL

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

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1 BE COUNTED WITHIN TWENTY-FOUR HOURS OF THE POLLS CLOSING ON ELECTION DAY
2 AND IN THE SAME MANNER AS PRESCRIBED IN ARTICLE NINE OF THIS CHAPTER.
3 THE RESULTS OR TABULATION OF VOTES CAST DURING AN EARLY VOTING PERIOD
4 SHALL NOT BE MADE BEFORE THE CLOSE OF ALL POLLING PLACES ON ELECTION DAY
5 AND RESULTS SHALL BE REPORTED BY PRECINCT. BALLOTS USED IN EARLY VOTING
6 SHALL BE, AS NEARLY AS PRACTICABLE, THE SAME FORM AS THOSE USED ON
7 ELECTION DAY.

8 S 8-602. LOCAL BOARDS OF ELECTIONS; POWERS AND DUTIES OF. ANY RULE OR
9 REGULATION NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS
10 TITLE SHALL BE PROMULGATED BY THE LOCAL BOARDS OF ELECTIONS.

11 S 3. This act shall take effect on the first of January next succeed-
12 ing the date on which it shall have become a law.