

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

3315--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. STATE BOARD OF ELECTIONS; POWERS AND DUTIES FOR EARLY
9 VOTING.

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

19 2. SUCH VOTING PROCEDURE SHALL BE MONITORED AND ADMINISTERED BY TWO
20 DULY DESIGNATED PERSONS, ONE FROM EACH MAJOR POLITICAL PARTY, AND SUCH
21 VOTING SHALL FOLLOW AND CONFORM TO ALL OTHER PROCEDURES, MEASURES AND

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

LBD05714-04-9

1 REQUIREMENTS OF CASTING A VOTE BY A VOTING MACHINE AS PRESCRIBED PURSU-
2 ANT TO THIS CHAPTER. ALL VOTES CAST WITHIN THE EARLY VOTING PERIOD SHALL
3 BE COUNTED WITHIN TWENTY-FOUR HOURS OF THE POLLS CLOSING ON ELECTION DAY
4 AND IN THE SAME MANNER AS PRESCRIBED IN ARTICLE NINE OF THIS CHAPTER.
5 THE RESULTS OR TABULATION OF VOTES CAST DURING AN EARLY VOTING PERIOD
6 SHALL NOT BE MADE BEFORE THE CLOSE OF ALL POLLING PLACES ON ELECTION DAY
7 AND RESULTS SHALL BE REPORTED BY PRECINCT. BALLOTS USED IN EARLY VOTING
8 SHALL BE, AS NEARLY AS PRACTICABLE, THE SAME FORM AS THOSE USED ON
9 ELECTION DAY. BALLOTS SHALL BE MADE AVAILABLE AND ACCESSIBLE TO ANY
10 PERSON WITH DISABILITIES WHO WANT TO EXERCISE HIS OR HER RIGHT TO VOTE
11 EARLY.

12 S 8-602. STATE BOARD OF ELECTIONS; POWERS AND DUTIES FOR EARLY VOTING.
13 ANY RULE OR REGULATION NECESSARY FOR THE IMPLEMENTATION OF THE
14 PROVISIONS OF THIS TITLE SHALL BE PROMULGATED BY THE STATE BOARD OF
15 ELECTIONS.

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