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

4314

2009-2010 Regular Sessions

I N A S S E M B L Y

February 3, 2009

Introduced by M. of A. GALEF, DINOWITZ, BRADLEY, BING, PAULIN, HOYT, GUNTHER, BOYLAND, POWELL, JAFFEE, JOHN, ROSENTHAL, KAVANAGH -- Multi-Sponsored by -- M. of A. BRENNAN, BROOK-KRASNY, CAHILL, CHRISTENSEN, CLARK, COLTON, CONTE, DelMONTE, DIAZ, FIELDS, GIGLIO, GOTTFRIED, HEASTIE, JACOBS, KOON, LIFTON, MAGEE, MAYERSOHN, MILLMAN, MOLINARO, PEOPLES, REILLY, P. RIVERA, ROBINSON, SPANO, THIELE, WALKER, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to registration and enrollment

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

Section 1. Subdivision 3 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, is amended to read as follows:

3. Completed application forms, when received by any county board of elections and, with respect to application forms promulgated by the federal election commission, when received by the state board of elections, or showing a dated cancellation mark of the United States Postal Service or contained in an envelope showing such a dated cancellation mark which is not later than the [twenty-fifth] TENTH day before the next ensuing primary, general or special election, and received no later than the [twentieth] TENTH day before such election, or delivered in person to such county board of elections not later than the tenth day before a special election, shall entitle the applicant to vote in such election, if he or she is otherwise qualified, provided, however, such applicant shall not vote on a voting machine until his or her identity is verified. Any county board of elections receiving an application form from a person who does not reside in its jurisdiction but who does reside elsewhere in the state of New York, shall forthwith forward such application form to the proper county board of elections. Each board of

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

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elections shall make an entry on each such form of the date it is received by such board.

S 2. Paragraph (b) of subdivision 5 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, is amended to read as follows:

(b) Instructions on how to fill out and submit the form and that the form must be received by any county board of elections at least [twenty-five] TEN days prior to the election at which the applicant may vote.

S 3. This act shall take effect immediately.