

6175

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

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

AN ACT to amend the election law, in relation to early voting; and to repeal sections 11-300, 11-302, and 11-306 of such law relating thereto

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

1 Section 1. Sections 11-300, 11-302 and 11-306 of the election law are
2 REPEALED and a new section 11-300 is added to read as follows:
3 S 11-300. SPECIAL BALLOTS FOR EARLY VOTING. A VOTER MAY DELIVER TO THE
4 BOARD OF ELECTIONS A WRITTEN STATEMENT THAT HE OR SHE DESIRES TO VOTE AT
5 THE BOARD OF ELECTIONS PRIOR TO OR ON THE DATE OF THE ELECTION. THE
6 BOARD OF ELECTIONS, AFTER DETERMINING THE QUALIFICATIONS OF THE VOTER
7 AND THAT THE VOTER HAD NOT PREVIOUSLY VOTED IN THE ELECTION, SHALL
8 PROVIDE THE VOTER WITH THE APPROPRIATE BALLOT AND PERMIT THE VOTER TO
9 CAST A SPECIAL BALLOT AT THE BOARD OF ELECTIONS, NOT EARLIER THAN TWO
10 WEEKS BEFORE THE ELECTION AND NOT LATER THAN THE CLOSE OF POLLS ON
11 ELECTION DAY. EACH SUCH BALLOT SHALL BE PLACED IN AN ENVELOPE, PROVIDED
12 BY THE BOARD OF ELECTIONS, THEN SEALED; THE VOTER SHALL DATE AND SIGN
13 HIS OR HER NAME ON THE OUTSIDE OF THE ENVELOPE. SUCH BALLOT MAY BE
14 DELIVERED TO THE INSPECTORS OF ELECTION IN A MANNER PRESCRIBED BY THIS
15 CHAPTER FOR ABSENTEE BALLOTS OR RETAINED BY THE BOARD OF ELECTIONS AND
16 CAST AND CANVASSED PURSUANT TO THE PROVISIONS OF SECTION 9-209 OF THIS
17 CHAPTER AS SUCH BOARD SHALL, IN ITS DISCRETION, DETERMINE BY RESOLUTION
18 ADOPTED AT LEAST THIRTY DAYS BEFORE ELECTION DAY.
19 S 2. This act shall take effect on the first of December next succeeding
20 the date on which it shall have become a law.

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

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