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2009-2010 Regular Sessions

IN SENATE

(PREFILED)

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Introduced by Sens. PARKER, ADAMS, HASSELL-THOMPSON, C. JOHNSON, SAMP-SON, SMITH, STACHOWSKI, THOMPSON, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to authorizing early voting at primary and general elections

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

1 Section 1. Article 8 of the election law is amended by adding a new
2 title 6 to read as follows:
3 TITLE VI

4 5 EARLY VOTING

SECTION 8-600. EARLY VOTING IN PRIMARY AND GENERAL ELECTIONS.

6 7 8-602. APPLICATION FOR EARLY VOTING. 8-604. STATE BOARD OF ELECTIONS; POWERS AND DUTIES OF.

8 VOTING IN PRIMARY AND GENERAL ELECTIONS. 1. ON AND S 8-600. EARLY 9 AFTER THE FOURTEENTH DAY PRIOR TO THE DATE OF EVERY PRIMARY AND GENERAL 10 ELECTION, EACH BOARD OF ELECTIONS SHALL PROVIDE FOR THE CONDUCTING OF 11 EARLY VOTING. SUCH VOTING SHALL BE CONDUCTED AT THE OFFICE OF THE BOARD ELECTIONS AND AT SUCH ALTERNATIVE POLLING PLACES DESIGNATED BY SUCH 12 OF 13 BOARD. EARLY VOTING SHALL BE MADE AVAILABLE DURING SUCH FOURTEEN DAY PERIOD, EXCLUDING SATURDAYS, SUNDAYS AND PUBLIC HOLIDAYS. THE BOARD OF 14 15 ELECTIONS SHALL BE OPEN TO THE PUBLIC FOR EARLY VOTING FROM 8LABOR А.М. UNTIL 4LABOR P.M. AND THE ALTERNATIVE POLLING PLACES SHALL BE OPEN FOR 16 EARLY VOTING DURING SUCH HOURS AND DAYS AS SHALL BE DESIGNATED 17 ΒY THE 18 BOARD OF ELECTIONS.

19 2. A REGISTERED VOTER MAY PARTICIPATE IN EARLY VOTING UPON COMPLETION 20 AND FILING OF AN APPLICATION THEREFOR WITH THE BOARD OF ELECTIONS HOLD-21 ING HIS OR HER VOTER REGISTRATION.

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

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3. THE CONDUCT OF EARLY VOTING SHALL BE MONITORED AND ADMINISTERED BY 1 2 TWO PERSONS DESIGNATED BY THE BOARD OF ELECTIONS, WITH ONE SUCH PERSON FROM EACH OF THE MAJOR POLITICAL PARTIES. SUCH VOTING SHALL CONFORM WITH 3 4 THE PROCEDURES, MEASURES AND REQUIREMENTS FOR CASTING VOTES IN A PRIMARY 5 OR GENERAL ELECTION. ALL VOTES CAST DURING EARLY VOTING SHALL BE COUNTED AFTER THE POLLS CLOSE ON THE DATE OF THE PRIMARY OR GENERAL ELECTION TO 6 7 WHICH IT RELATES, IN THE SAME MANNER PRESCRIBED BY ARTICLE NINE OF THIS 8 CHAPTER.

9 4. EACH BOARD OF ELECTIONS SHALL PUBLISH NOTICE OF THE TIME PERIOD OF 10 EARLY VOTING, THE TIMES THEREOF, THE PLACES WHERE EARLY VOTING IS 11 CONDUCTED AND THE MANNER IN WHICH SUCH VOTING IS CONDUCTED. SUCH NOTICES 12 SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION NOT LESS THAN 13 SEVEN DAYS PRIOR TO THE FIRST DAY OF EARLY VOTING AND ONCE A WEEK THERE-14 AFTER.

S 8-602. APPLICATION FOR EARLY VOTING. 1. THE BOARD OF ELECTIONS 15 SHALL FURNISH ONE APPLICATION FOR EARLY VOTING TO ANY VOTER WHO 16 PERSONALLY APPEARS AND WISHES TO EXERCISE THIS RIGHT. UPON COMPLETION OF 17 SUCH APPLICATION, TWO DULY DESIGNATED EMPLOYEES OF THE BOARD OF 18 19 ELECTIONS, ONE FROM EACH MAJOR POLITICAL PARTY REPRESENTED, SHALL COMPARE THE INFORMATION OF THE VOTER WITH THE SIGNATURE ON THE VOTER'S 20 21 PERMANENT REGISTRATION RECORD, OR OTHER EVIDENCE OF IDENTIFICATION IF COMPUTERIZED DUPLICATE REGISTRATION RECORDS ARE USED, AND SHALL ENDORSE 22 ON THE APPLICATION THAT SUCH REVIEW HAS BEEN COMPLETED. THE RESULTS OR 23 TABULATION OF VOTES CAST DURING AN EARLY VOTING PERIOD SHALL NOT BE MADE 24 25 BEFORE THE CLOSE OF ALL POLLING PLACES ON THE DATE OF THE ELECTION. BALLOTS USED IN EARLY VOTING SHALL BE, AS NEARLY AS PRACTICABLE, THE 26 SAME FORM AS THOSE USED ON THE DATE OF THE ELECTION. 27

28 2. THE APPLICATION FOR EARLY VOTING SHALL REQUIRE AND INCLUDE THE 29 FOLLOWING IDENTIFYING INFORMATION:

- 30 (A) THE DATE OF THE PRIMARY OR GENERAL ELECTION,
- 31 (B) NAME OF THE BOARD OF ELECTIONS,
- 32 (C) THE NAME OF THE VOTER,
- 33 (D) RESIDENCE OF VOTER,
- 34 (E) NUMBER OF THE ASSEMBLY DISTRICT, IF ANY,
- 35 (F) NAME OF CITY OR TOWN, NUMBER OF WARD, IF ANY, AND

36 (G) ELECTION DISTRICT AND PARTY ENROLLMENT. THERE SHALL BE A PLACE FOR
37 TWO SIGNATURES OF PERSONS DESIGNATED TO INSPECT, ONE FROM EACH MAJOR
38 POLITICAL PARTY, THAT SUCH PERSONS HAVE CHECKED AND MARKED THE VOTER'S
39 REGISTRATION AND POLL RECORD. ON THE REVERSE SIDE OF SUCH APPLICATION
40 SHALL BE PRINTED THE FOLLOWING STATEMENT:

I DO DECLARE THAT I AM A CITIZEN OF THE UNITED STATES, THAT I AM DULY 41 REGISTERED IN THE ELECTION DISTRICT SHOWN ON THE REVERSE SIDE OF THIS 42 43 APPLICATION AND I AM QUALIFIED TO VOTE IN SUCH DISTRICT; THAT I DO NOT INTEND TO VOTE ELSEWHERE, THAT I HAVE NOT COMMITTED ANY ACT NOR AM I 44 45 UNDER ANY IMPEDIMENT WHICH DENIES ME THE RIGHT TO VOTE. I HEREBY DECLARE THAT THE FOREGOING IS A TRUE STATEMENT TO THE BEST OF MY KNOWLEDGE AND 46 BELIEF, AND I UNDERSTAND THAT IF I MAKE ANY MATERIAL FALSE STATEMENT IN 47 THE FOREGOING STATEMENT, I SHALL BE GUILTY OF A MISDEMEANOR. 48 (DATE)

49 50

51 52	(SIGNATURE	AND	ADDRESS	OF	VOTER)	 	
53 54	(WITNESS)						

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1 S 8-604. STATE BOARD OF ELECTIONS; POWERS AND DUTIES OF. ANY RULE OR 2 REGULATION NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS 3 TITLE SHALL BE PROMULGATED BY THE STATE BOARD OF ELECTIONS.

4 S 2. This act shall take effect on the first of January next succeed-5 ing the date on which it shall have become a law.