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

2443--B

Cal. No. 393

2009-2010 Regular Sessions

I N S E N A T E

February 20, 2009

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the election law, in relation to a voter claiming to live within an election district in which the voter seeks to vote being advised of the proper polling place and election district and being allowed to vote in said election district

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

Section 1. Subdivision 1 of section 4-128 of the election law, as amended by chapter 91 of the laws of 1992, is amended to read as follows:

1. The board of elections of each county shall provide the requisite number of official and facsimile ballots, two cards of instruction to voters in the form prescribed by the state board of elections, at least one copy of the instruction booklet for inspectors, A SUFFICIENT NUMBER OF MAPS, STREET FINDERS OR OTHER DESCRIPTIONS OF ALL OF THE POLLING PLACES AND ELECTION DISTRICTS WITHIN THE COUNTY IN WHICH THE POLLING PLACE IS LOCATED TO ENABLE THE ELECTION INSPECTORS AND POLL CLERKS TO DETERMINE THE CORRECT ELECTION DISTRICT AND POLLING PLACE FOR EACH STREET ADDRESS WITHIN THE COUNTY IN WHICH THE POLLING PLACE IS LOCATED, distance markers, tally sheets and return blanks, pens, black ink, or ball point pens with black ink, pencils having black lead, envelopes for the ballots of voters whose registration poll records are not in the ledger or whose names are not on the computer generated registration list, envelopes for returns, identification buttons, badges or emblems for the inspectors and clerks in the form prescribed by the state board

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

LBD01569-09-9

of elections and such other articles of stationery as may be necessary for the proper conduct of elections, except that when a town, city or village holds an election not conducted by the board of elections, the clerk of such town, city or village, shall provide such official and facsimile ballots and the necessary blanks, supplies and stationery for such election.

S 2. The opening paragraph of section 4-132 of the election law, as amended by chapter 164 of the laws of 1985, is amended and a new subdivision d is added to read as follows:

[In the cities of New York and Buffalo, and cities and towns of the counties of Monroe, Nassau and Suffolk, respectively, the] THE board of elections [and in any other city or in any other town,] OR the town [or city clerk], CITY OR VILLAGE CLERK, WHEN A TOWN, CITY OR VILLAGE HOLDS AN ELECTION NOT CONDUCTED BY THE BOARD OF ELECTIONS, shall provide in each polling place, as required, the following articles:

D. A SUFFICIENT NUMBER OF MAPS, STREET FINDERS OR OTHER DESCRIPTIONS OF ALL OF THE POLLING PLACES AND ELECTION DISTRICTS WITHIN THE COUNTY IN WHICH THE POLLING PLACE IS LOCATED TO ENABLE THE ELECTION INSPECTORS AND POLL CLERKS TO DETERMINE THE CORRECT ELECTION DISTRICT AND POLLING PLACE FOR EACH STREET ADDRESS WITHIN THE COUNTY IN WHICH THE POLLING PLACE IS LOCATED.

S 3. The opening paragraph of paragraph (e) of subdivision 3 of section 8-302 of the election law, as amended by chapter 200 of the laws of 1996, is amended to read as follows:

Whenever a voter presents himself OR HERSELF and offers to cast a ballot, and [the address at which] he OR SHE claims to live [is] in the election district in which he OR SHE seeks to vote but no registration poll record can be found for him OR HER in the poll ledger or his OR HER name does not appear on the computer generated registration list or his OR HER signature does not appear next to his OR HER name on such computer generated registration list or his OR HER registration poll record or the computer generated registration list does not show him OR HER to be enrolled in the party in which he OR SHE claims to be enrolled, [he] A POLL CLERK OR ELECTION INSPECTOR SHALL CONSULT A MAP, STREET FINDER OR OTHER DESCRIPTION OF ALL OF THE POLLING PLACES AND ELECTION DISTRICTS WITHIN THE COUNTY IN WHICH SAID ELECTION DISTRICT IS LOCATED AND ADVISE THE VOTER OF THE CORRECT POLLING PLACE AND ELECTION DISTRICT WITHIN THE COUNTY FOR THE RESIDENCE ADDRESS PROVIDED BY THE VOTER TO SUCH POLL CLERK OR ELECTION INSPECTOR. THEREAFTER, SUCH VOTER shall be permitted to vote IN SAID ELECTION DISTRICT only as hereinafter provided:

S 4. This act shall take effect immediately.