

4843

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. AUBERTINE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law and the education law, in relation to making ballots available in Braille and large-print

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

1 Section 1. The election law is amended by adding a new section 7-107
2 to read as follows:
3 S 7-107. BALLOTS IN BRAILLE AND LARGE-PRINT TO BE MADE AVAILABLE. 1.
4 BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT FOR EVERY ELECTION SHALL BE
5 MADE AVAILABLE UPON THE REQUEST OF ANY REGISTERED VOTER WHO IS BLIND OR
6 VISUALLY IMPAIRED. SUCH BALLOTS SHALL BE MADE AVAILABLE AT POLLING PLAC-
7 ES UPON REQUEST, AND MAY BE USED BY A VOTER IN LIEU OF THE VOTING
8 MACHINE. ABSENTEE BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT SHALL ALSO
9 BE MADE AVAILABLE UPON REQUEST. PERSONS WISHING TO RECEIVE BRAILLE OR
10 LARGE-PRINT BALLOTS MUST GIVE NOTICE THEREOF TO THE BOARD OF ELECTIONS
11 NO LESS THAN THIRTY DAYS PRIOR TO EACH ELECTION DAY TO ENABLE THE BOARD
12 TO PREPARE AND DISTRIBUTE SUCH BALLOTS.
13 2. THE STATE BOARD OF ELECTIONS SHALL PROMULGATE RULES FOR THE PREPA-
14 RATION, DISTRIBUTION, CASTING, AND CANVASS OF BRAILLE AND LARGE-PRINT
15 BALLOTS. THE STATE BOARD OF ELECTIONS SHALL DEVELOP THE INITIAL FORMAT
16 FOR BOTH BRAILLE AND LARGE-PRINT BALLOTS IN CONSULTATION WITH AT LEAST
17 THREE NEW YORK STATE ORGANIZATIONS WITH EXPERTISE IN THE FIELD OF ADVO-
18 CACY FOR PEOPLE WITH DISABILITIES AND SUCH OTHER APPROPRIATE PERSONS,
19 GROUPS, ENTITIES OR ORGANIZATIONS AS THE STATE BOARD OF ELECTIONS SHALL
20 DETERMINE. FOR THE PURPOSE OF THIS SECTION, "BRAILLE" REFERS TO GRADE
21 TWO BRAILLE AND "LARGE-PRINT" REFERS TO A FONT OF EIGHTEEN POINT OR
22 LARGER. UPON THE PRINTING OF A BRAILLE BALLOT, THE BOARD OF ELECTIONS
23 SHALL REQUIRE SUCH BRAILLE BALLOT TO BE PROOFREAD BY A QUALIFIED BRAILLE
24 READER. THE STATE BOARD OF ELECTIONS SHALL ESTABLISH THE MINIMUM QUALI-
25 FICATIONS FOR A BRAILLE BALLOT PROOFREADER IN CONSULTATION WITH AT LEAST

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

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1 THREE NEW YORK STATE ORGANIZATIONS WITH EXPERTISE IN THE FIELD OF ADVO-
2 CACY FOR PEOPLE WITH DISABILITIES AND SUCH OTHER APPROPRIATE PERSONS,
3 GROUPS, ENTITIES OR ORGANIZATIONS AS SUCH BOARD SHALL DETERMINE.

4 S 2. The education law is amended by adding a new section 2022-a to
5 read as follows:

6 S 2022-A. BALLOTS IN BRAILLE AND LARGE-PRINT TO BE MADE AVAILABLE. 1.
7 BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT FOR EVERY ELECTION SHALL BE
8 MADE AVAILABLE UPON THE REQUEST OF ANY REGISTERED VOTER WHO IS BLIND OR
9 VISUALLY IMPAIRED. SUCH BALLOTS SHALL BE MADE AVAILABLE AT POLLING PLAC-
10 ES UPON REQUEST, AND MAY BE USED BY A VOTER IN LIEU OF THE VOTING
11 MACHINE. ABSENTEE BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT SHALL BE
12 MADE AVAILABLE UPON REQUEST. PERSONS WISHING TO RECEIVE BRAILLE AND
13 LARGE-PRINT BALLOTS MUST GIVE NOTICE THEREOF NO LESS THAN THIRTY DAYS
14 PRIOR TO EACH ELECTION DAY TO ENABLE PREPARATION AND DISTRIBUTION OF
15 SUCH BALLOTS.

16 2. THE COMMISSIONER, IN CONSULTATION WITH THE STATE BOARD OF
17 ELECTIONS, SHALL PROMULGATE RULES FOR THE PREPARATION, DISTRIBUTION,
18 CASTING, AND CANVASS OF BRAILLE AND LARGE-PRINT BALLOTS. THE DEPARTMENT
19 OF EDUCATION SHALL DEVELOP THE INITIAL FORMAT FOR BOTH BRAILLE AND
20 LARGE-PRINT BALLOTS IN CONSULTATION WITH AT LEAST THREE NEW YORK STATE
21 ORGANIZATIONS WITH EXPERTISE IN THE FIELD OF ADVOCACY FOR PEOPLE WITH
22 DISABILITIES AND SUCH OTHER APPROPRIATE PERSONS, GROUPS, ENTITIES OR
23 ORGANIZATIONS AS SUCH BOARD SHALL DETERMINE. FOR THE PURPOSES OF THIS
24 SECTION, "BRAILLE" REFERS TO GRADE TWO BRAILLE AND "LARGE-PRINT" REFERS
25 TO A FONT OF EIGHTEEN POINT OR LARGER. UPON THE PRINTING OF A BRAILLE
26 BALLOT, SUCH BRAILLE BALLOT SHALL BE PROOFREAD BY A QUALIFIED BRAILLE
27 READER. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH THE MINIMUM QUALI-
28 FICATIONS FOR A BRAILLE BALLOT PROOFREADER IN CONSULTATION WITH AT LEAST
29 THREE NEW YORK STATE ORGANIZATIONS WITH EXPERTISE IN THE FIELD OF ADVO-
30 CACY FOR PEOPLE WITH DISABILITIES AND SUCH OTHER APPROPRIATE PERSONS,
31 GROUPS, ENTITIES OR ORGANIZATIONS AS SUCH DEPARTMENT SHALL DETERMINE.

32 S 3. This act shall take effect on the first of December next succeed-
33 ing the date on which it shall have become a law. Effective immediate-
34 ly, the addition, amendment and/or repeal of any rule or regulation
35 necessary for the implementation of this act on its effective date are
36 authorized and directed to be made and completed on or before such
37 effective date.