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

5989

2009-2010 Regular Sessions

I N S E N A T E

June 19, 2009

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the election law, in relation to the alteration of election districts by the board of elections; and to repeal certain provisions of such law relating thereto

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

Section 1. Subdivision 6 of section 4-100 of the election law is REPEALED and subdivision 2 of section 4-100 of the election law, is amended to read as follows:

2. The creation, consolidation, division or alteration of election districts shall be done by the [legislative body of the city or town within which the election district is contained except in the cities of Buffalo and New York and the counties of Monroe, Nassau, and Suffolk. In the cities of Buffalo and New York, and the counties of Monroe, Nassau and Suffolk, and for any other town or city, upon the request of its legislative body, the creation, consolidation, division or alteration of election districts shall be done by the] board of elections.

S 2. Notwithstanding the prohibition on consolidating election districts between February 20th of a calendar year ending in seven and December 1st of a calendar year ending in zero, as provided in subdivision 5 of section 4-100 of the election law, two or more election districts may be consolidated one time on or before February 15, 2010, provided however, that the outer boundary or perimeter of the consolidated election districts shall not be altered.

S 3. Subdivision 5 of section 4-104 of the election law is amended by adding a new paragraph (d) to read as follows:

(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, POLLING PLACES DESIGNATED FOR ANY ONE SUCH ELECTION DISTRICT THAT WILL BE UTILIZING ANY VOTING MACHINE OR SYSTEM AUTHORIZED PURSUANT TO SUBDIVISION FOUR OF SECTION 7-201 OF THIS CHAPTER OR CERTIFIED AFTER APRIL FIRST, TWO THOU-

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

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SAND NINE, FOR USE IN NEW YORK STATE PURSUANT TO CHAPTER ONE HUNDRED EIGHTY-ONE OF THE LAWS OF TWO THOUSAND FIVE, MAY BE THE POLLING PLACE OF ANY OTHER DISTRICT OR DISTRICTS, PROVIDED THE VOTING SYSTEM USED IN SUCH POLLING PLACE PRODUCES SEPARATE AND DISTINCT VOTE TOTALS FOR EACH ELECTION DISTRICT VOTING IN SUCH POLLING PLACE ON SUCH VOTING MACHINE OR SYSTEM.

S 4. Subdivision 6 of section 4-104 of the election law is amended to read as follows:

6. Each polling place designated, whenever practicable, shall be situated on the main or ground floor of the premises selected. It shall be of sufficient area to admit and comfortably accommodate [at least ten] voters [at one time and to allow for the placement in such meeting place, of booths, furniture and equipment, as provided by law] IN NUMBERS CONSISTENT WITH THE DEPLOYMENT OF VOTING SYSTEMS AND PRIVACY BOOTHS, PURSUANT TO NYCRR TITLE 9, SUBTITLE V, PART 6210.19. SUCH DEPLOYMENT OF VOTING SYSTEMS, ELECTION WORKERS AND ELECTION RESOURCES SHALL BE IN A SUFFICIENT NUMBER TO ACCOMMODATE THE NUMBERS OF VOTERS ELIGIBLE TO VOTE IN SUCH POLLING PLACE.

S 5. This act shall take effect immediately.