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

3910

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. GABRYSZAK, ALFANO, BACALLES, CLARK, ERRIGO, FINCH, GOTTFRIED, GUNTHER, JAFFEE, JOHN, KAVANAGH, LIFTON, MILLMAN, RAIA, ABBATE, LUPARDO, GALEF, ROSENTHAL, KOON -- Multi-Sponsored by -- M. of A. BALL, BARRA, BENJAMIN, BRENNAN, CAHILL, DINOWITZ, FIELDS, HOOPER, KOLB, MAISEL, MAYERSOHN, McDONOUGH, McENENY, MOLINARO, PEOPLES-STOKES, PERRY, QUINN, THIELE, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to special ballots for victims of domestic violence

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

Section 1. Section 11-306 of the election law, as added by chapter 702 of the laws of 1996, is amended to read as follows:

S 11-306. Special ballots; victims of domestic violence. A voter may deliver to the board of elections, at any time during the period in which absentee ballot applications may be delivered, a signed written statement swearing or affirming:

1. that [they are] HE OR SHE IS the victim of domestic violence AS DEFINED IN SECTION FOUR HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW;

2. that [they have] HE OR SHE HAS been forced to leave [their] HIS OR HER residence because of such violence; and

3. that because of the threat of physical OR EMOTIONAL harm to [themselves] HIMSELF OR HERSELF or TO FAMILY OR HOUSEHOLD members [of their family residing with them] AS DEFINED IN SECTION FOUR HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW, [they wish] HE OR SHE WISHES to cast a special ballot in the next election. The statement must include [their] THE VOTER'S address of registration. The board of elections shall permit such a voter to cast a special ballot at an office of such board of elections not earlier than one week before the election and not later than the close of the polls on election day. Such ballots may be delivered to the inspectors of election in the manner prescribed by this

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

chapter for absentee ballots or retained at the board of elections and cast and canvassed pursuant to the provisions of section 9-209 of this chapter as such board shall, in its discretion, determine by resolution adopted at least thirty days before election day.

S 2. This act shall take effect immediately.