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

4672

2009-2010 Regular Sessions

I N  A S S E M B L Y

February 5, 2009

Introduced by M. of A. BENJAMIN -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to early voting

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

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

TITLE VI

EARLY VOTING

SECTION 8-600. EARLY VOTING.

S 8-600. EARLY VOTING. 1. A QUALIFIED VOTER MAY VOTE EARLY UNDER THIS CHAPTER ON THE OCCURRENCE OF ANY GENERAL ELECTION.

2. A QUALIFIED VOTER MAY VOTE AT LOCATIONS AND ON DATES AND TIMES AS DESIGNATED BY THE LOCAL COUNTY BOARD OF ELECTIONS IN THE PRESENCE OF AN ELECTION OFFICIAL.

3. THE EARLY VOTER SHALL MARK AN EARLY BALLOT AS PROVIDED FOR PAPER BALLOTS OR BALLOTS PREPARED FOR COUNTING BY BALLOT COUNTING MACHINES. HE OR SHE SHALL MAKE NO MARK OR WRITING WHATSOEVER UPON THE BALLOT, EXCEPT AS ABOVE PRESCRIBED, AND SHALL SEE THAT IT BEARS NO SUCH MARK OR WRITING. HE OR SHE SHALL MAKE NO MARK OR WRITING WHATSOEVER ON THE OUTSIDE OF THE BALLOT. AFTER MARKING THE BALLOT OR BALLOTS HE OR SHE SHALL FOLD EACH SUCH BALLOT AND ENCLOSE THEM IN AN ENVELOPE, PROVIDED BY THE ELECTION OFFICIAL, AND SEAL THE ENVELOPE. HE OR SHE SHALL THEN TAKE AND SUBSCRIBE THE OATH ON THE ENVELOPE, WITH BLANKS PROPERLY FILLED IN. THE ENVELOPE, CONTAINING THE BALLOT OR BALLOTS, SHALL THEN BE DEPOSITED IN THE BALLOT BOX IN THE PRESENCE OF AN ELECTION OFFICIAL.

4. THE BOARD OF ELECTIONS SHALL CAUSE ALL EARLY BALLOTS CAST BEFORE THE CLOSE OF THE POLLS ON ELECTION DAY TO BE CAST AND COUNTED.

5. THE STATE BOARD OF ELECTIONS SHALL PRESCRIBE A STANDARD PROCEDURE FOR EARLY VOTING UNDER THIS SECTION.

S 2. This act shall take effect immediately.

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

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