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

658

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the election law, in relation to absentee voting qualifications

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

Section 1. Subdivision 1 of section 8-400 of the election law, the opening paragraph as amended by chapter 359 of the laws of 1989, is amended and a new subdivision 10 is added to read as follows:

1. A qualified voter may vote as an absentee voter under this chapter if, on the occurrence of any village election conducted by the board of elections, primary election, special election, general election or New York city community school board district or city of Buffalo school district election, he OR SHE will be[:

(a) unavoidably absent from the county of his residence, or, if a resident of the city of New York absent from said city, because his] UNABLE TO VOTE IN PERSON DUE TO duties, occupation, business, PERSONAL MATTERS or studies [require him to be elsewhere on the day of election; or

(b) absent from such county or city because he is on vacation elsewhere on the day of election; or

(c) unable to appear personally at the polling place of the election district in which he is a qualified voter because of illness or physical disability, whether permanent or temporary, or because he will be or is a patient in a hospital; or

(d) he is a person entitled to a ballot because he is a qualified voter registered as an inmate or patient of a veteran's administration hospital; or

(e) absent from the county of his residence, or if a resident of the city of New York, absent from said city, because of his accompanying a

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

LBD01202-01-9

spouse, parent or child who would be entitled to apply for the right to vote by absentee ballot if a qualified voter; or

(f) absent from his voting residence because he is detained in jail awaiting action by a grand jury or awaiting trial, or confined in prison after a conviction for an offense other than a felony, provided that he is qualified to vote in the election district of his residence].

10. NO SINGLE AGENT SHALL COLLECT MORE THAN FIFTEEN ABSENTEE BALLOTS, EXCEPT UPON APPLICATION AND APPROVAL OF TWO INSPECTORS REPRESENTING DIFFERENT POLITICAL PARTIES.

S 2. This act shall take effect immediately.