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

6580

2009-2010 Regular Sessions

I N A S S E M B L Y

March 6, 2009

Introduced by M. of A. BURLING, FINCH, GIGLIO, KOLB, OAKS, WALKER, POWELL, BALL -- Multi-Sponsored by -- M. of A. BACALLES, BARCLAY, CALHOUN, CROUCH, DUPREY, ERRIGO, GALEF, HAWLEY, McDONOUGH, MOLINARO, RAIA, SAYWARD, SCOZZAFAVA, SPANO, TEDISCO, THIELE, TOWNSEND -- read once and referred to the Committee on Election Law

AN ACT to amend the election law and the education law, in relation to authorizing sixteen and seventeen year old persons to serve as poll clerks

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

Section 1. Subdivision 6 of section 3-400 of the election law, as amended by chapter 340 of the laws of 1995, is amended and a new subdivision 7 is added to read as follows:

6. No person shall be certified or act as an election inspector or poll clerk who is not a registered voter, EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION SEVEN OF THIS SECTION, and a resident of the county in which he OR SHE serves, or within the city of New York, of such city, who holds any elective public office, or who is a candidate for any public office to be voted for by the voters of the district in which he OR SHE is to serve, or the spouse, parent or child of such a candidate, or who is not able to speak and read the English language and write it legibly.

7. A PERSON WHO IS SIXTEEN OR SEVENTEEN YEARS OF AGE, WHO IS ENROLLED IN A SECONDARY SCHOOL AND FULFILLING THE REQUIREMENTS OF SECTION THIRTY-TWO HUNDRED FIVE-A OF THE EDUCATION LAW, SHALL BE ELIGIBLE TO BE APPOINTED AS AND PERFORM THE DUTIES OF A POLL CLERK WHILE UNDER SUPERVISION OF A POLL CLERK WHO IS EIGHTEEN YEARS OF AGE OR OLDER.

S 2. The education law is amended by adding a new section 3205-a to read as follows:

S 3205-A. SERVICE OF STUDENTS AS POLL CLERKS. A SECONDARY SCHOOL MAY AUTHORIZE AN ENROLLED STUDENT WHO IS SIXTEEN OR SEVENTEEN YEARS OF AGE

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

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TO SERVE AS A POLL CLERK PURSUANT TO SECTION 3-400 OF THE ELECTION LAW. THE COMMISSIONER SHALL PROMULGATE AND DISTRIBUTE A FORM EVINCING AUTHORIZATION OF A STUDENT TO SERVE AS A POLL CLERK PURSUANT TO THIS SECTION.

S 3. This act shall take effect immediately.