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

1701

2009-2010 Regular Sessions

I N S E N A T E

February 5, 2009

Introduced by Sens. DILAN, ADDABBO, ADAMS, DIAZ, DUANE, HASSELL-THOMPSON, C. JOHNSON, KRUEGER, ONORATO, PARKER, SAMPSON, SAVINO, SCHNEIDERMAN, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to counting of affidavit ballots

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

Section 1. Paragraph a of subdivision 2 of section 9-209 of the election law is amended by adding a new subparagraph 3 to read as follows:

3. IF THE BOARD OF ELECTIONS DETERMINES THAT A PERSON WAS ENTITLED TO VOTE AT SUCH ELECTION, THE BOARD SHALL CAST AND CANVASS SUCH BALLOT IF SUCH BOARD FINDS THAT THE VOTER APPEARED AT A POLLING PLACE IN THE CORRECT COUNTY, REGARDLESS OF THE FACT THAT THE VOTER MAY HAVE APPEARED IN THE INCORRECT ELECTION DISTRICT.

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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