

1835

2009-2010 Regular Sessions

I N S E N A T E

February 9, 2009

Introduced by Sen. KLEIN -- 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 absentee voting quali-
fications

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

1 Section 1. Subdivision 1 of section 8-400 of the election law, the
2 opening paragraph as amended by chapter 359 of the laws of 1989, is
3 amended and a new subdivision 10 is added to read as follows:
4 1. A qualified voter may vote as an absentee voter under this chapter
5 if, on the occurrence of any village election conducted by the board of
6 elections, primary election, special election, general election or New
7 York city community school board district or city of Buffalo school
8 district election, he OR SHE will be[:
9 (a) unavoidably absent from the county of his residence, or, if a
10 resident of the city of New York absent from said city, because his]
11 UNABLE TO VOTE IN PERSON DUE TO duties, occupation, business, PERSONAL
12 MATTERS or studies [require him to be elsewhere on the day of election;
13 or
14 (b) absent from such county or city because he is on vacation else-
15 where on the day of election; or
16 (c) unable to appear personally at the polling place of the election
17 district in which he is a qualified voter because of illness or physical
18 disability, whether permanent or temporary, or because he will be or is
19 a patient in a hospital; or
20 (d) he is a person entitled to a ballot because he is a qualified
21 voter registered as an inmate or patient of a veteran's administration
22 hospital; or
23 (e) absent from the county of his residence, or if a resident of the
24 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.

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1 spouse, parent or child who would be entitled to apply for the right to
2 vote by absentee ballot if a qualified voter; or
3 (f) absent from his voting residence because he is detained in jail
4 awaiting action by a grand jury or awaiting trial, or confined in prison
5 after a conviction for an offense other than a felony, provided that he
6 is qualified to vote in the election district of his residence].
7 10. NO SINGLE AGENT SHALL COLLECT MORE THAN FIFTEEN ABSENTEE BALLOTS,
8 EXCEPT UPON APPLICATION AND APPROVAL OF TWO INSPECTORS REPRESENTING
9 DIFFERENT POLITICAL PARTIES.
10 S 2. This act shall take effect immediately.