

5989

2009-2010 Regular Sessions

I N S E N A T E

June 19, 2009

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the election law, in relation to the alteration of election districts by the board of elections; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Subdivision 6 of section 4-100 of the election law is  
2 REPEALED and subdivision 2 of section 4-100 of the election law, is  
3 amended to read as follows:

4 2. The creation, consolidation, division or alteration of election  
5 districts shall be done by the [legislative body of the city or town  
6 within which the election district is contained except in the cities of  
7 Buffalo and New York and the counties of Monroe, Nassau, and Suffolk. In  
8 the cities of Buffalo and New York, and the counties of Monroe, Nassau  
9 and Suffolk, and for any other town or city, upon the request of its  
10 legislative body, the creation, consolidation, division or alteration of  
11 election districts shall be done by the] board of elections.

12 S 2. Notwithstanding the prohibition on consolidating election  
13 districts between February 20th of a calendar year ending in seven and  
14 December 1st of a calendar year ending in zero, as provided in subdivi-  
15 sion 5 of section 4-100 of the election law, two or more election  
16 districts may be consolidated one time on or before February 15, 2010,  
17 provided however, that the outer boundary or perimeter of the consol-  
18 idated election districts shall not be altered.

19 S 3. Subdivision 5 of section 4-104 of the election law is amended by  
20 adding a new paragraph (d) to read as follows:

21 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, POLLING PLAC-  
22 ES DESIGNATED FOR ANY ONE SUCH ELECTION DISTRICT THAT WILL BE UTILIZING  
23 ANY VOTING MACHINE OR SYSTEM AUTHORIZED PURSUANT TO SUBDIVISION FOUR OF  
24 SECTION 7-201 OF THIS CHAPTER OR CERTIFIED AFTER APRIL FIRST, TWO THOU-

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

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1 SAND NINE, FOR USE IN NEW YORK STATE PURSUANT TO CHAPTER ONE HUNDRED  
2 EIGHTY-ONE OF THE LAWS OF TWO THOUSAND FIVE, MAY BE THE POLLING PLACE OF  
3 ANY OTHER DISTRICT OR DISTRICTS, PROVIDED THE VOTING SYSTEM USED IN SUCH  
4 POLLING PLACE PRODUCES SEPARATE AND DISTINCT VOTE TOTALS FOR EACH  
5 ELECTION DISTRICT VOTING IN SUCH POLLING PLACE ON SUCH VOTING MACHINE OR  
6 SYSTEM.

7 S 4. Subdivision 6 of section 4-104 of the election law is amended to  
8 read as follows:

9 6. Each polling place designated, whenever practicable, shall be situ-  
10 ated on the main or ground floor of the premises selected. It shall be  
11 of sufficient area to admit and comfortably accommodate [at least ten]  
12 voters [at one time and to allow for the placement in such meeting  
13 place, of booths, furniture and equipment, as provided by law] IN  
14 NUMBERS CONSISTENT WITH THE DEPLOYMENT OF VOTING SYSTEMS AND PRIVACY  
15 BOOTHS, PURSUANT TO NYCRR TITLE 9, SUBTITLE V, PART 6210.19. SUCH  
16 DEPLOYMENT OF VOTING SYSTEMS, ELECTION WORKERS AND ELECTION RESOURCES  
17 SHALL BE IN A SUFFICIENT NUMBER TO ACCOMMODATE THE NUMBERS OF VOTERS  
18 ELIGIBLE TO VOTE IN SUCH POLLING PLACE.

19 S 5. This act shall take effect immediately.