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

4848

2011-2012 Regular Sessions

I N A S S E M B L Y

February 8, 2011

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

AN ACT to amend the election law, in relation to canvass of write-in votes

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 9-102 of the election law, as amended by chapter 163 of the laws of 2010, is amended to read as follows:

(a) The inspectors shall canvass the machine vote by printing the ballot scanner tabulated results tape in the presence of the watchers and all other persons who may be lawfully within the polling place, giving full view of the tabulated result tape numbers. The chair of the board of inspectors shall, under the scrutiny of an inspector of a different political party, in the order of the offices as their titles are arranged on the tabulated result tape, read and announce in distinct tones the public office or party position, candidate name, political party and the result as shown on the tabulated result tape and then shall announce the aggregate number of write-in votes recorded for each office. IF THE VOTING TABULATED RESULT TAPE RECORDS WRITE-IN VOTES ON A REGISTER OR ROLL IN A SEPARATELY SEALED COMPARTMENT, A BOARD OF ELECTIONS MAY, BY RESOLUTION ADOPTED AT LEAST THIRTY DAYS BEFORE THE DATE OF AN ELECTION, DETERMINE TO CANVASS THE WRITE-IN VOTES CAST FOR EACH OFFICE ON THE WRITE-IN REGISTER OR ROLL EITHER AT THE TIME OF THE RECANVASS CONDUCTED PURSUANT TO SECTION 9-208 OF THIS ARTICLE OR DIRECT THAT THE CHAIRMAN OF THE BOARD OF INSPECTORS SHALL, UNDER THE SCRUTINY OF AN INSPECTOR OF A DIFFERENT POLITICAL PARTY, READ THE VOTES RECORDED FOR EACH OFFICE ON THE WRITE-IN BALLOTS AT THE CLOSE OF THE POLLS. The chair shall also in the same manner announce the vote on each ballot proposal. The results on the tabulated result tape shall be entered on or the tabulated result tape shall be affixed to the return of canvass

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

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for that ballot scanner or election district pursuant to section 9-120 of this title by an inspector, under the scrutiny of an inspector of a different political party, in the space indicated; provided, however, if any election day paper ballots were hand counted pursuant to subdivision two of section 9-110 of this title, the results of such hand counting shall be recorded on the return of canvass and be added to the numbers reported from the tabulated results tape to produce a single total result for each candidate and ballot proposal. The return of canvass, which shall show the aggregate number of votes cast for each office, the number of votes cast for each candidate appearing on the ballot for each office and the aggregate number of write-in votes for each office, shall then be filled out. Such return and tabulated result tape shall be signed by each inspector.

S 2. This act shall take effect immediately.