

5337--B

Cal. No. 181

2011-2012 Regular Sessions

I N A S S E M B L Y

February 16, 2011

Introduced by M. of A. CUSICK, COLTON, ENGLEBRIGHT, GIBSON, N. RIVERA, STEVENSON, ZEBROWSKI, ORTIZ, SCARBOROUGH, MOYA, ROBINSON, CAHILL, LAVINE -- Multi-Sponsored by -- M. of A. BOYLAND, FARRELL, GLICK, HEASTIE, HIKIND, MCENENY, PERRY, P. RIVERA, WEISENBERG -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the election law and the education law, in relation to making absentee ballots available in Braille and large-print

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

- 1 Section 1. The election law is amended by adding a new section 7-107
2 to read as follows:
3 S 7-107. ABSENTEE BALLOTS IN BRAILLE AND LARGE-PRINT TO BE MADE AVAIL-
4 ABLE. 1. ABSENTEE BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT SHALL BE
5 MADE AVAILABLE UPON THE REQUEST OF ANY REGISTERED VOTER WHO IS BLIND OR
6 VISUALLY IMPAIRED. PERSONS WISHING TO RECEIVE BRAILLE OR LARGE-PRINT
7 BALLOTS MUST GIVE NOTICE THEREOF TO THE BOARD OF ELECTIONS NO LESS THAN
8 THIRTY DAYS PRIOR TO EACH ELECTION DAY TO ENABLE THE BOARD TO PREPARE
9 AND DISTRIBUTE SUCH BALLOTS.
10 2. THE STATE BOARD OF ELECTIONS SHALL PROMULGATE RULES FOR THE PREPA-
11 RATION, DISTRIBUTION, CASTING, AND CANVASS OF BRAILLE AND LARGE-PRINT
12 ABSENTEE BALLOTS. THE STATE BOARD OF ELECTIONS SHALL DEVELOP THE
13 INITIAL FORMAT FOR BOTH BRAILLE AND LARGE-PRINT BALLOTS IN CONSULTATION
14 WITH AT LEAST THREE NEW YORK STATE ORGANIZATIONS WITH EXPERTISE IN THE
15 FIELD OF ADVOCACY FOR PEOPLE WITH DISABILITIES AND SUCH OTHER APPROPRI-
16 ATE PERSONS, GROUPS, ENTITIES OR ORGANIZATIONS AS THE STATE BOARD OF
17 ELECTIONS SHALL DETERMINE. FOR THE PURPOSE OF THIS SECTION, "BRAILLE"
18 REFERS TO GRADE TWO BRAILLE AND "LARGE-PRINT" REFERS TO A FONT OF EIGH-
19 TEEN POINT OR LARGER. UPON THE PRINTING OF A BRAILLE BALLOT, THE BOARD

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

LBD08035-06-2

1 OF ELECTIONS SHALL REQUIRE SUCH BRAILLE BALLOT TO BE PROOFREAD BY A
2 QUALIFIED BRAILLE READER. THE STATE BOARD OF ELECTIONS SHALL ESTABLISH
3 THE MINIMUM QUALIFICATIONS FOR A BRAILLE BALLOT PROOFREADER IN CONSULTA-
4 TION WITH AT LEAST THREE NEW YORK STATE ORGANIZATIONS WITH EXPERTISE IN
5 THE FIELD OF ADVOCACY FOR PEOPLE WITH DISABILITIES AND SUCH OTHER APPRO-
6 PRIATE PERSONS, GROUPS, ENTITIES OR ORGANIZATIONS AS SUCH BOARD SHALL
7 DETERMINE.

8 S 2. The education law is amended by adding a new section 2022-a to
9 read as follows:

10 S 2022-A. BALLOTS IN BRAILLE AND LARGE-PRINT TO BE MADE AVAILABLE. 1.
11 ABSENTEE BALLOTS PRINTED IN BRAILLE AND LARGE-PRINT SHALL BE MADE AVAIL-
12 ABLE UPON REQUEST. PERSONS WISHING TO RECEIVE BRAILLE AND LARGE-PRINT
13 BALLOTS MUST GIVE NOTICE THEREOF NO LESS THAN THIRTY DAYS PRIOR TO EACH
14 ELECTION DAY TO ENABLE PREPARATION AND DISTRIBUTION OF SUCH BALLOTS.

15 2. THE COMMISSIONER, IN CONSULTATION WITH THE STATE BOARD OF
16 ELECTIONS, SHALL PROMULGATE RULES FOR THE PREPARATION, DISTRIBUTION,
17 CASTING, AND CANVASS OF BRAILLE AND LARGE-PRINT ABSENTEE BALLOTS. THE
18 DEPARTMENT SHALL DEVELOP THE INITIAL FORMAT FOR BOTH BRAILLE AND LARGE-
19 PRINT BALLOTS IN CONSULTATION WITH AT LEAST THREE NEW YORK STATE ORGAN-
20 IZATIONS WITH EXPERTISE IN THE FIELD OF ADVOCACY FOR PEOPLE WITH DISA-
21 BILITIES AND SUCH OTHER APPROPRIATE PERSONS, GROUPS, ENTITIES OR
22 ORGANIZATIONS AS SUCH BOARD SHALL DETERMINE. FOR THE PURPOSES OF THIS
23 SECTION, "BRAILLE" REFERS TO GRADE TWO BRAILLE AND "LARGE-PRINT" REFERS
24 TO A FONT OF EIGHTEEN POINT OR LARGER. UPON THE PRINTING OF A BRAILLE
25 BALLOT, SUCH BRAILLE BALLOT SHALL BE PROOFREAD BY A QUALIFIED BRAILLE
26 READER. THE DEPARTMENT SHALL ESTABLISH THE MINIMUM QUALIFICATIONS FOR A
27 BRAILLE BALLOT PROOFREADER IN CONSULTATION WITH AT LEAST THREE NEW YORK
28 STATE ORGANIZATIONS WITH EXPERTISE IN THE FIELD OF ADVOCACY FOR PEOPLE
29 WITH DISABILITIES AND SUCH OTHER APPROPRIATE PERSONS, GROUPS, ENTITIES
30 OR ORGANIZATIONS AS SUCH DEPARTMENT SHALL DETERMINE.

31 S 3. This act shall take effect on the first of December next succeed-
32 ing the date on which it shall have become a law; provided, however that
33 effective immediately, the addition, amendment and/or repeal of any rule
34 or regulation necessary for the implementation of this act on its effec-
35 tive date are authorized and directed to be made and completed on or
36 before such effective date.