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

S. 4481--A A. 6973--A

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

April 6, 2011

IN SENATE -- Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. MILLMAN -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law and the education law, in relation to election inspectors and poll clerks

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

Section 1. Subdivision 6 of section 3-400 of the election law, as amended by chapter 76 of the laws of 2010, is amended to read as follows:

6. No person shall be certified or act as an election inspector or poll clerk who is not a registered voter (unless such person is duly qualified under subdivision [seven] EIGHT of this section) and a resident of the county in which he or she serves, or within the city of New York, of such city, who holds any elective public office, or who is a candidate for any public office to be voted for by the voters of the district in which he or she is to serve, or the spouse, parent, or child of such a candidate, or who is not able to speak and read the English language and write it legibly.

S 2. Subdivision 7 of section 3-400 of the election law, as added by chapter 76 of the laws of 2010, is renumbered subdivision 8.

S 3. Section 2036 of the education law, as amended by chapter 76 of the laws of 2010, is amended to read as follows:

S 2036. Effect of failure to appoint or elect qualified voters as district meeting or election officials. The proceedings of no annual or

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

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special school district meeting or election shall be held illegal for failure to appoint or elect a qualified voter (or a person satisfying the requirements of subdivision [seven] EIGHT of section 3-400 of the election law) as an official at such district meeting or election, unless it shall appear that the acts of such official or officials were improper or that the action of such meeting or election was prejudiced thereby.

S 4. This act shall take effect immediately.