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

8088

2011-2012 Regular Sessions

I N A S S E M B L Y

June 1, 2011

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

AN ACT to amend the election law, in relation to lever voting machines; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Subdivision 2 of section 15-114 of the election law is renumbered subdivision 3 and a new subdivision 2 is added to read as follows:

2. LEVER VOTING MACHINES SHALL REMAIN LOCKED AGAINST VOTING FOR A PERIOD OF THIRTY DAYS OR UNTIL FIFTEEN DAYS BEFORE THE NEXT ELECTION, IF SUCH MACHINES ARE NEEDED FOR USE AT SUCH NEXT ELECTION. PROVIDED HOWEVER THAT A MACHINE MAY BE UNLOCKED IF A DISCREPANCY DISCOVERED IN THE RECANVASS OF VOTING MACHINES REQUIRED BY THIS CHAPTER MAKES IT NECESSARY TO EXAMINE THE MACHINE TO DETERMINE IF IT HAS MALFUNCTIONED AND PROVIDED FURTHER THAT A MACHINE MAY BE OPENED AND ALL THE DATA AND FIGURES THEREIN EXAMINED UPON THE ORDER OF ANY COURT OR JUDGE OF COMPETENT JURISDICTION.

S 2. This act shall take effect immediately; provided, however, that the amendments to section 15-114 of the election law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

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

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