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

8873

I N A S S E M B L Y

(PREFILED)

January 4, 2012

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

AN ACT to amend the election law, in relation to the check of registered voters and information notice by electronic transmission in the county of Westchester

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

Section 1. Section 4-117 of the election law is amended by adding a new subdivision 4 to read as follows:

4. NOTWITHSTANDING THE REQUIREMENTS OF SUBDIVISION ONE OF THIS SECTION, THE COUNTY OF WESTCHESTER MAY IMPLEMENT A SYSTEM WHEREBY ACTIVE REGISTERED VOTERS IN THE COUNTY MAY ELECT TO RECEIVE THE COMMUNICATIONS REQUIRED BY THIS SECTION BY ELECTRONIC TRANSMISSION. UPON IMPLEMENTATION OF SUCH A SYSTEM, THE WESTCHESTER COUNTY BOARD OF ELECTIONS, BETWEEN AUGUST FIRST AND AUGUST FIFTH OF EACH YEAR, SHALL BE REQUIRED TO SEND TO EACH ACTIVE REGISTERED VOTER, WHO HAS ELECTED TO RECEIVE COMMUNICATIONS PURSUANT TO THIS SUBDIVISION, COMMUNICATION BY ELECTRONIC TRANSMISSION, WHICH SHALL INCLUDE THE SAME INFORMATION REQUIRED BY SUBDIVISION ONE OF THIS SECTION; PROVIDED THAT, THE ELECTRONIC TRANSMISSION SHALL CONTAIN A REQUEST THAT ANY PERSON NO LONGER RESIDING AT THE ADDRESS REFERENCED IN THE COMMUNICATION RESPOND TO THE ELECTRONIC TRANSMISSION, NOTIFYING THE WESTCHESTER COUNTY BOARD OF ELECTIONS OF SUCH CHANGE IN RESIDENCE. THE WESTCHESTER COUNTY BOARD OF ELECTIONS SHALL BE REQUIRED TO SEND COMMUNICATION BY MAIL PURSUANT TO SUBDIVISION ONE OF THIS SECTION IF EVERY REGISTERED VOTER IN THE HOUSEHOLD HAS NOT ELECTED TO RECEIVE COMMUNICATION BY ELECTRONIC TRANSMISSION PURSUANT TO THIS SUBDIVISION. PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THE WESTCHESTER COUNTY BOARD OF ELECTIONS MAY INCLUDE A BALLOT PROPOSAL AS AN ATTACHMENT TO SUCH AN ELECTRONIC TRANSMISSION. THE COMMISSIONERS OF THE WESTCHESTER COUNTY BOARD OF ELECTIONS SHALL BE REQUIRED TO FILE THE FORM REQUIRED BY SUBDIVISION THREE OF THIS SECTION. ON SAID FORM, THE COMMUNICATIONS SENT BY ELECTRONIC TRANSMISSION SHALL BE INCLUDED IN THE TOTAL AGGREGATE NUMBER OF COMMUNICATIONS SENT BY THE COUNTY AND THE COMMUNICATIONS RECEIVED BY

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

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ELECTRONIC TRANSMISSION IN REPLY THERETO SHALL BE INCLUDED IN THE TOTAL AGGREGATE NUMBER OF COMMUNICATIONS RETURNED BY THE POST OFFICE. THE WESTCHESTER COUNTY BOARD OF ELECTIONS SHALL ALSO PROVIDE THE STATE BOARD OF ELECTIONS A SEPARATE STATEMENT SETTING FORTH THE NUMBER OF COMMUNICATIONS SENT AND RECEIVED BY ELECTRONIC TRANSMISSION.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.