

1450

2011-2012 Regular Sessions

I N A S S E M B L Y

January 10, 2011

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

AN ACT to amend the military law and the election law, in relation to
the counting of ballots of deceased military personnel

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

- 1 Section 1. The military law is amended by adding a new section 234 to
2 read as follows:
3 S 234. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY MEMBER
4 OF THE ARMY, NAVY, AIR FORCE, MARINES, COAST GUARD, ARMY RESERVE, NAVAL
5 RESERVE, MARINE RESERVE, AIR FORCE RESERVE, NATIONAL GUARD, NEW YORK
6 ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL GUARD, NEW YORK GUARD, OR
7 NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILITARY BALLOT WHILE ON ACTIVE
8 DUTY, SHALL HAVE SUCH BALLOT BE COUNTED, EVEN IN THE EVENT THAT SUCH
9 SERVICE MEMBER DIES BEFORE THE DATE OF THE SCHEDULED ELECTION FOR WHICH
10 IT WAS CAST.
11 S 2. The election law is amended by adding a new section 8-413 to read
12 as follows:
13 S 8-413. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY
14 MEMBER OF THE ARMY, NAVY, AIR FORCE, MARINES, COAST GUARD, ARMY RESERVE,
15 NAVAL RESERVE, MARINE RESERVE, AIR FORCE RESERVE, NATIONAL GUARD, NEW
16 YORK ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL GUARD, NEW YORK GUARD,
17 OR NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILITARY BALLOT WHILE ON
18 ACTIVE DUTY, SHALL HAVE SUCH BALLOT BE COUNTED, EVEN IN THE EVENT THAT
19 SUCH SERVICE MEMBER DIES BEFORE THE DATE OF THE SCHEDULED ELECTION FOR
20 WHICH IT WAS CAST.
21 S 3. This act shall take effect immediately.

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

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