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

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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. LANCMAN, BRENNAN, HOOPER, PHEFFER, LUPARDO, GOTTFRIED, PERRY, LIFTON, REILLY, JACOBS, PAULIN, LAVINE, KELLNER -- Multi-Sponsored by -- M. of A. GLICK, MAGEE, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to enacting the "early voting act"

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

Section 1. Short title. This act shall be known and may be cited as the "early voting act".

S 2. Article 8 of the election law is amended by adding a new title 6 to read as follows:

TITLE VI

EARLY VOTING

SECTION 8-600. EARLY VOTING PROCEDURES.

8-602. STATE BOARD OF ELECTIONS; POWERS AND DUTIES FOR EARLY VOTING.

S 8-600. EARLY VOTING PROCEDURES. 1. NO SOONER THAN FOURTEEN BUSINESS DAYS AND UP TO AND INCLUDING THE DAY PRIOR TO ANY GENERAL, PRIMARY OR SPECIAL ELECTION FOR ANY PUBLIC OR PARTY OFFICE, PERSONS DULY REGISTERED TO VOTE FOR CANDIDATES FOR SUCH OFFICE MAY VOTE BY PAPER BALLOT FOR A CANDIDATE FOR SUCH OFFICE, AND SUCH EARLY VOTING PRACTICE SHALL TAKE PLACE AT SUCH PERSON'S COUNTY BOARD OF ELECTIONS, OR AN ALTERNATIVE LOCATION OR LOCATIONS AS OTHERWISE DESIGNATED BY AND THROUGH A COUNTY BOARD OF ELECTIONS UNDER THE POWERS GRANTED PURSUANT TO THIS SECTION ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION.

2. SUCH VOTING PROCEDURE SHALL BE MONITORED AND ADMINISTERED BY TWO DULY DESIGNATED PERSONS, ONE FROM EACH MAJOR POLITICAL PARTY, AND SUCH VOTING SHALL FOLLOW AND CONFORM TO ALL OTHER PROCEDURES, MEASURES AND REQUIREMENTS OF CASTING A VOTE BY A VOTING MACHINE AS PRESCRIBED PURSU-

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

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ANT TO THIS CHAPTER. ALL VOTES CAST WITHIN THE EARLY VOTING PERIOD SHALL BE COUNTED WITHIN TWENTY-FOUR HOURS OF THE POLLS CLOSING ON ELECTION DAY AND IN THE SAME MANNER AS PRESCRIBED IN ARTICLE NINE OF THIS CHAPTER. THE RESULTS OR TABULATION OF VOTES CAST DURING AN EARLY VOTING PERIOD SHALL NOT BE MADE BEFORE THE CLOSE OF ALL POLLING PLACES ON ELECTION DAY AND RESULTS SHALL BE REPORTED BY PRECINCT. BALLOTS USED IN EARLY VOTING SHALL BE, AS NEARLY AS PRACTICABLE, THE SAME FORM AS THOSE USED ON ELECTION DAY. BALLOTS SHALL BE MADE AVAILABLE AND ACCESSIBLE TO ANY PERSON WITH DISABILITIES WHO WANT TO EXERCISE HIS OR HER RIGHT TO VOTE EARLY.

S 8-602. STATE BOARD OF ELECTIONS; POWERS AND DUTIES FOR EARLY VOTING. ANY RULE OR REGULATION NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS TITLE SHALL BE PROMULGATED BY THE STATE BOARD OF ELECTIONS.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.