

4742

2011-2012 Regular Sessions

I N   A S S E M B L Y

February 7, 2011

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

AN ACT to amend the election law, in relation to absentee voting qualifications

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

1     Section 1. Subdivision 1 of section 8-400 of the election law, as  
2 amended by chapter 63 of the laws of 2010, is amended and a new subdivision 11 is added to read as follows:

3     1. A qualified voter may vote as an absentee voter under this chapter  
4 if, on the occurrence of any village election conducted by the board of  
5 elections, primary election, special election, general election or New  
6 York city community school board district or city of Buffalo school  
7 district election, he or she expects to be[  
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9     (a) absent from the county of his or her residence, or, if a resident  
10 of the city of New York absent from said city; or

11     (b) unable to appear personally at the polling place of the election  
12 district in which he or she is a qualified voter because of illness or  
13 physical disability or duties related to the primary care of one or more  
14 individuals who are ill or physically disabled, or because he or she  
15 will be or is a patient in a hospital; or

16     (c) an inmate or patient of a veteran's administration hospital; or

17     (d) absent from his or her voting residence because he or she is  
18 detained in jail awaiting action by a grand jury or awaiting trial, or  
19 confined in jail or prison after a conviction for an offense other than  
20 a felony, provided that he or she is qualified to vote in the election  
21 district of his or her residence] UNABLE TO VOTE IN PERSON DUE TO  
22 DUTIES, OCCUPATION, BUSINESS, PERSONAL MATTERS OR STUDIES.

23     11. NO SINGLE AGENT SHALL COLLECT MORE THAN FIFTEEN ABSENTEE BALLOTS,  
24 EXCEPT UPON APPLICATION AND APPROVAL OF TWO INSPECTORS REPRESENTING  
25 DIFFERENT POLITICAL PARTIES.

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

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1     S 2. This act shall take effect on the one hundred eightieth day after  
2     it shall have become a law; provided that, effective immediately, any  
3     rules and regulations necessary to implement the provisions of this act  
4     on its effective date are authorized and directed to be completed.