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

8093

2011-2012 Regular Sessions

I N  A S S E M B L Y

June 1, 2011

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

AN ACT to amend the election law, in relation to absentee voting; and to repeal section 7-126 of the election law relating to the use of ballots

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

Section 1. Section 7-126 of the election law is REPEALED.

S 2. Paragraphs (c) and (d) of subdivision 2 of section 8-400 of the election law, paragraph (c) as amended by chapter 321 of the laws of 1988 and paragraph (d) as separately amended by chapters 97 and 104 of the laws of 2010, are amended to read as follows:

(c) All applications must be [mailed to] RECEIVED BY the board of elections [not] NO later than the [seventh] day before the election for which a ballot is first requested [or delivered to such board not later than the day before such election].

(d) The board of elections shall mail an absentee ballot to every qualified voter otherwise eligible for such a ballot, who requests such an absentee ballot from such board of elections in writing in a letter, telefax indicating the address, phone number and the telefax number from which the writing is sent or other written instrument, which is signed by the voter and received by the board of elections not earlier than the thirtieth day nor later than the [seventh] day before the election for which the ballot is first requested and which states the address where the voter is registered and the address to which the ballot is to be mailed; provided, however, a military voter may request a military ballot or voter registration application or an absentee ballot application in a letter as provided in subdivision three of section 10-106 of this chapter; and provided further, a special federal voter may request a special federal ballot or voter registration application or an absentee ballot application in a letter as provided in paragraph d of subdi-

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

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vision one of section 11-202 of this chapter. The board of elections shall enclose with such ballot a form of application for absentee ballot if the applicant is registered with such board of elections.

S 3. This act shall take effect immediately.