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

1230

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ABINANTI, JAFFEE, COLTON, TENNEY, ORTIZ, LAVINE, SIMANOWITZ, CASTRO, RAIA, MONTESANO, SALADINO -- Multi-Sponsored by -- M. of A. BROOK-KRASNY -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to lever voting machines

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

Section 1. Subdivision 2 of section 15-114 of the election law is renumbered subdivision 3 and a new subdivision 2 is added to read as follows:

2. LEVER VOTING MACHINES SHALL REMAIN LOCKED AGAINST VOTING FOR A PERIOD OF THIRTY DAYS OR UNTIL FIFTEEN DAYS BEFORE THE NEXT ELECTION, IF SUCH MACHINES ARE NEEDED FOR USE AT SUCH NEXT ELECTION. PROVIDED HOWEVER THAT A MACHINE MAY BE UNLOCKED IF A DISCREPANCY DISCOVERED IN THE RECANVASS OF VOTING MACHINES REQUIRED BY THIS CHAPTER MAKES IT NECESSARY TO EXAMINE THE MACHINE TO DETERMINE IF IT HAS MALFUNCTIONED AND PROVIDED FURTHER THAT A MACHINE MAY BE OPENED AND ALL THE DATA AND FIGURES THEREIN EXAMINED UPON THE ORDER OF ANY COURT OR JUDGE OF COMPETENT JURISDICTION.

S 2. This act shall take effect immediately; provided, however, that the amendments to section 15-114 of the election law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

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

LBD03584-02-3