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

2105

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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:

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

1. A qualified voter may vote as an absentee voter under this chapter if, on the occurrence of any village election conducted by the board of elections, primary election, special election, general election or New York city community school board district or city of Buffalo school district election, he or she expects to be[:

(a) absent from the county of his or her residence, or, if a resident of the city of New York absent from said city; or

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

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

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

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

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

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, any rules and regulations necessary to implement the provisions of this act on its effective date are authorized to be made before such effective date.