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

2655--A

Cal. No. 350

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

Introduced by Sens. BALL, BONACIC, CARLUCCI, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the military law and the election law, in relation to the counting of ballots of deceased military personnel

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

Section 1. The military law is amended by adding a new section 234 to read as follows:

S 234. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY MEMBER OF THE ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, ARMY RESERVE, NAVAL RESERVE, MARINE CORPS RESERVE, AIR FORCE RESERVE, NATIONAL GUARD, NEW YORK ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL GUARD, NEW YORK GUARD OR NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILITARY BALLOT WHILE ON ACTIVE DUTY, SHALL HAVE SUCH BALLOT BE COUNTED, IN THE EVENT THAT SUCH SERVICE MEMBER DIES AS A RESULT OF PARTICIPATING IN COMBAT OPERATIONS BEFORE THE DATE OF THE SCHEDULED ELECTION FOR WHICH IT WAS CAST.

S 2. The election law is amended by adding a new section 8-413 to read as follows:

S 8-413. COUNTING OF BALLOTS OF DECEASED MILITARY PERSONNEL. ANY MEMBER OF THE ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD, ARMY RESERVE, NAVAL RESERVE, MARINE CORPS RESERVE, AIR FORCE RESERVE, NATIONAL GUARD, NEW YORK ARMY NATIONAL GUARD, NEW YORK AIR NATIONAL GUARD, NEW YORK GUARD OR NAVAL MILITIA, WHO CASTS AN ABSENTEE OR MILITARY BALLOT WHILE ON ACTIVE DUTY, SHALL HAVE SUCH BALLOT BE COUNTED, IN THE EVENT THAT SUCH SERVICE MEMBER DIES AS A RESULT OF PARTICIPATING IN COMBAT OPERATIONS BEFORE THE DATE OF THE SCHEDULED ELECTION FOR WHICH IT WAS CAST.

S 3. This act shall take effect immediately.

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

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