

S. 3824

A. 5180

2013-2014 Regular Sessions

S E N A T E - A S S E M B L Y

February 21, 2013

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

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

AN ACT to amend the election law, in relation to military ballots and elections for school boards of education and school budgets

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

1 Section 1. Paragraph (a) of subdivision 1 of section 10-108 of the
2 election law, as amended by chapter 4 of the laws of 2011, is amended to
3 read as follows:
4 (a) Ballots for military voters shall be mailed or otherwise distrib-
5 uted by the board of elections, in accordance with the preferred method
6 of transmission designated by the voter pursuant to section 10-107 of
7 this article, as soon as practicable but in any event not later than
8 thirty-two days before a primary or general election; twenty-five days
9 before a New York city community school board district or city of
10 Buffalo school district election OR ANY COMMON, UNION FREE, CENTRAL OR
11 CENTRAL HIGH SCHOOL DISTRICT ELECTION FOR WHICH ABSENTEE BALLOTS ARE
12 REQUIRED TO BE PROVIDED PURSUANT TO SECTIONS TWO THOUSAND EIGHTEEN-A,
13 TWO THOUSAND EIGHTEEN-B, OR TWENTY-SIX HUNDRED THIRTEEN OF THE EDUCATION
14 LAW; fourteen days before a village election conducted by the board of
15 elections; and forty-five days before a special election. A voter who
16 submits a military ballot application shall be entitled to a military
17 ballot thereafter for each subsequent election through and including the
18 next two regularly scheduled general elections held in even numbered
19 years, including any run-offs which may occur; provided, however, such
20 application shall not be valid for any election held within seven days
21 after its receipt. Ballots shall also be mailed to any qualified mili-
22 tary voter who is already registered and who requests such military

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

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1 ballot from such board of elections in a letter, which is signed by the
2 voter and received by the board of elections not later than the seventh
3 day before the election for which the ballot is requested and which
4 states the address where the voter is registered and the address to
5 which the ballot is to be mailed. The board of elections shall enclose
6 with such ballot a form of application for military ballot. In the case
7 of a primary election, the board shall deliver only the ballot of the
8 party with which the military voter is enrolled according to the mili-
9 tary voter's registration records. In the event a primary election is
10 uncontested in the military voter's election district for all offices or
11 positions except the party position of member of the ward, town, city or
12 county committee, no ballot shall be delivered to such military voter
13 for such election; and the military voter shall be advised of the reason
14 why he or she will not receive a ballot.

15 S 2. This act shall take effect immediately.