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

7167

I N S E N A T E

May 1, 2014

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

AN ACT to amend the election law, in relation to amending the required time to commence counting of absentee ballots

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

Section 1. Paragraph (a) of subdivision 1 of section 9-209 of the election law, as amended by chapter 104 of the laws of 2010, is amended to read as follows:

(a) The board of elections shall designate itself or such of its employees as it shall deem appropriate as a set of poll clerks to cast and canvass such ballots, and fix a time and place for their meeting for such purpose, provided that such meeting shall be no more than fourteen days after a general or special election and no more than eight days after a primary election at which such ballots are voted. THE BOARD OF ELECTIONS SHALL COMMENCE CANVASSING SUCH BALLOTS (I) THAT ARE RECEIVED ON OR BEFORE THE CLOSE OF BUSINESS ON THE DAY PRECEDING ELECTION DAY BY NO LATER THAN FORTY-EIGHT HOURS AFTER THE CLOSE OF POLLS ON ELECTION DAY AND (II) THAT ARE RECEIVED ON ELECTION DAY OR WITHIN SEVEN DAYS OF ELECTION DAY IN THE CASE OF A PRIMARY ELECTION OR THIRTEEN DAYS OF ELECTION DAY IN THE CASE OF A GENERAL OR SPECIAL ELECTION BY THE CLOSE OF BUSINESS ON THE EIGHTH DAY FOLLOWING ELECTION DAY IN THE CASE OF A PRIMARY ELECTION OR THE FOURTEENTH DAY IN THE CASE OF A GENERAL OR SPECIAL ELECTION OR ON THE FIRST BUSINESS DAY THEREAFTER IN THE EVENT THAT THE EIGHTH DAY OR THE FOURTEENTH DAY, AS APPLICABLE, AFTER ELECTION DAY IS A WEEKEND DAY OR A HOLIDAY. The board may designate additional sets of poll clerks and if it designates more than one such set shall apportion among all such sets the election districts from which such ballots have been received, provided that all such ballots from a single election district shall be assigned to a single set of clerks, and that each such set shall be divided equally between representatives of the two major political parties. Each such set of clerks shall be deemed a central board of inspectors for purposes of this section.

S 2. This act shall take effect immediately.

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

LBD13986-03-4