4629

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 5, 2015
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Introduced by M. of A. COLTON -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to requiring that a notation be printed beside the names of voters who requested an absentee ballot, and requiring voters with such notations to vote by affidavit ballot

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

1   Section 1. Paragraph o of subdivision 4 of section 5-500 of the
2 election law, as amended by chapter 659 of the laws of 1994, is amended
3 and a new paragraph p is added to read as follows:
4   o. A space for "remarks" regarding other facts required by this chap-
5 ter to be recorded or appropriate to identify the voter[.];
6   P. WHETHER THE VOTER HAS REQUESTED AN ABSENTEE BALLOT.
7   S 2. Section 8-302 of the election law is amended by adding a new
8 subdivision 6 to read as follows:
9   6. IF A VOTER'S NAME APPEARS IN THE COMPUTER GENERATED REGISTRATION
10 LIST WITH A NOTATION INDICATING THAT SUCH VOTER REQUESTED AN ABSENTEE
11 BALLOT, THE VOTER SHALL ONLY BE ENTITLED TO VOTE BY AFFIDAVIT BALLOT
12 UNLESS A COURT ORDER PROVIDES OTHERWISE. AT THE TIME THAT AN INDIVIDUAL
13 CASTS AN AFFIDAVIT BALLOT, THE APPROPRIATE STATE OR LOCAL ELECTION OFFI-
14 CIAL SHALL GIVE THE INDIVIDUAL WRITTEN INFORMATION THAT STATES THAT ANY
15 INDIVIDUAL WHO CASTS AN AFFIDAVIT BALLOT WILL BE ABLE TO ASCERTAIN UNDER
16 THE SYSTEM ESTABLISHED UNDER SUBDIVISION FOUR OF SECTION 9-212 OF THIS
17 CHAPTER WHETHER THE VOTE WAS COUNTED, AND, IF THE VOTE WAS NOT COUNTED,
18 THE REASON THAT THE VOTE WAS NOT COUNTED.
19   S 3. This act shall take effect on the ninetieth day after it shall
20 have become a law.

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