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

3692

2015-2016 Regular Sessions

I N S E N A T E

February 13, 2015

Introduced by Sen. GIANARIS -- 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 requiring the hand counting of all ballots cast in an election for a position in which the difference in the ballots cast for the candidates for such position is ten or less votes or .5 percent of votes cast, whichever is greater

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

Section 1. Section 9-208 of the election law is amended by adding a new subdivision 1-a to read as follows:

1-A. IF UPON THE ORIGINAL CANVASS OF THE RESULTS OF ANY GENERAL, SPECIAL OR PRIMARY ELECTION THE DIFFERENCE IN BALLOTS CAST FOR THE CANDIDATES FOR ANY POSITION IS TEN OR LESS VOTES, OR .5 PERCENT OF THE BALLOTS CAST FOR SUCH POSITION, WHICHEVER SHALL BE GREATER; THE RECANVASS OF BALLOTS CAST FOR SUCH POSITION, PURSUANT TO SUBDIVISION ONE OF THIS SECTION, SHALL REQUIRE THE BOARD OF ELECTIONS OR BIPARTISAN COMMITTEE TO COUNT ALL BALLOTS CAST FOR SUCH POSITION BY HAND, INCLUDING THOSE BALLOTS SCANNED BY A BALLOT SCANNER.

S 2. This act shall take effect immediately and shall apply to elections conducted on or after such date.

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

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