

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. BUCHWALD, GOTTFRIED, MOSLEY, PEOPLES-STOKES,
RIVERA, ROBINSON, GALEF -- Multi-Sponsored by -- M. of A. ABBATE,
BRENNAN -- read once and referred to the Committee on Election Law

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:

1 Section 1. Paragraph (a) of subdivision 1 of section 9-209 of the
2 election law, as amended by chapter 104 of the laws of 2010, is amended
3 to read as follows:
4 (a) The board of elections shall designate itself or such of its
5 employees as it shall deem appropriate as a set of poll clerks to cast
6 and canvass such ballots, and fix a time and place for their meeting for
7 such purpose, provided that such meeting shall be no more than fourteen
8 days after a general or special election and no more than eight days
9 after a primary election at which such ballots are voted. THE BOARD OF
10 ELECTIONS SHALL COMMENCE CANVASSING SUCH BALLOTS (I) THAT ARE RECEIVED
11 ON OR BEFORE THE CLOSE OF BUSINESS ON THE DAY PRECEDING ELECTION DAY BY
12 NO LATER THAN FORTY-EIGHT HOURS AFTER THE CLOSE OF POLLS ON ELECTION DAY
13 AND (II) THAT ARE RECEIVED ON ELECTION DAY OR WITHIN SEVEN DAYS OF
14 ELECTION DAY IN THE CASE OF A PRIMARY ELECTION OR THIRTEEN DAYS OF
15 ELECTION DAY IN THE CASE OF A GENERAL OR SPECIAL ELECTION BY THE CLOSE
16 OF BUSINESS ON THE EIGHTH DAY FOLLOWING ELECTION DAY IN THE CASE OF A
17 PRIMARY ELECTION OR THE FOURTEENTH DAY IN THE CASE OF A GENERAL OR
18 SPECIAL ELECTION OR ON THE FIRST BUSINESS DAY THEREAFTER IN THE EVENT
19 THAT THE EIGHTH DAY OR THE FOURTEENTH DAY, AS APPLICABLE, AFTER ELECTION
20 DAY IS A WEEKEND DAY OR A HOLIDAY. The board may designate additional
21 sets of poll clerks and if it designates more than one such set shall
22 apportion among all such sets the election districts from which such
23 ballots have been received, provided that all such ballots from a single

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

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1 election district shall be assigned to a single set of clerks, and that
2 each such set shall be divided equally between representatives of the
3 two major political parties. Each such set of clerks shall be deemed a
4 central board of inspectors for purposes of this section.

5 S 2. This act shall take effect immediately.