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

9949

I N A S S E M B L Y

May 2, 2016

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

AN ACT to amend the election law, in relation to eligibility to vote in a primary, general, or special election after filing a change of enrollment with the board of elections

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

Section 1. Subdivision 3 of section 5-304 of the election law, as amended by chapter 90 of the laws of 1991, is amended to read as follows:

3. A change of enrollment WHEN received by [the] ANY board of elections AND, WITH RESPECT TO FORMS PROMULGATED BY THE FEDERAL ELECTION COMMISSION, WHEN RECEIVED BY THE STATE BOARD OF ELECTIONS, OR SHOWING A DATED CANCELLATION MARK OF THE UNITED STATES POSTAL SERVICE OR CONTAINED IN AN ENVELOPE SHOWING SUCH A DATED CANCELLATION MARK WHICH IS not later than the twenty-fifth day before the NEXT ENSUING PRIMARY, general OR SPECIAL election, AND RECEIVED NO LATER THAN THE TWENTIETH DAY BEFORE SUCH ELECTION, OR DELIVERED IN PERSON TO SUCH BOARD OF ELECTIONS NOT LATER THAN THE TENTH DAY BEFORE A SPECIAL ELECTION, SHALL ENTITLE THE APPLICANT TO VOTE IN SUCH ELECTION, IF HE OR SHE IS OTHERWISE QUALIFIED. THE CHANGE OF ENROLLMENT shall be deposited in a sealed enrollment box, which shall not be opened until the first Tuesday following such [general] election. Such change of enrollment shall be then removed and entered as provided in this article.

S 2. This act shall take effect immediately.

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

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