

5442--B

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sens. AVELLA, PANEPINTO -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to authorizing any qualified voter to request an absentee ballot

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

1 Section 1. Subdivision 1 of section 8-400 of the election law, as
2 amended by chapter 63 of the laws of 2010, paragraph (c) as amended by
3 chapter 375 of the laws of 2015, is amended to read as follows:
4 1. A qualified voter may vote as an absentee voter under this chapter
5 [if, on the occurrence of any village election conducted by the board of
6 elections, primary election, special election, general election or New
7 York city community school board district or city of Buffalo school
8 district election, he or she expects to be:
9 (a) absent from the county of his or her residence, or, if a resident
10 of the city of New York absent from said city; or
11 (b) unable to appear personally at the polling place of the election
12 district in which he or she is a qualified voter because of illness or
13 physical disability or duties related to the primary care of one or more
14 individuals who are ill or physically disabled, or because he or she
15 will be or is a patient in a hospital; or
16 (c) a resident or patient of a veterans health administration hospital;
17 or
18 (d) absent from his or her voting residence because he or she is
19 detained in jail awaiting action by a grand jury or awaiting trial, or
20 confined in jail or prison after a conviction for an offense other than

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

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1 a felony, provided that he or she is qualified to vote in the election
2 district of his or her residence] UNDER ANY CIRCUMSTANCE.
3 S 2. This act shall take effect on the same date as a concurrent
4 resolution entitled "CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY
5 proposing an amendment to section 2 of article 2 of the constitution, in
6 relation to authorizing ballot by mail by removing cause for absentee
7 ballot voting", as proposed in legislative bill number S.4456A, takes
8 effect.