

# STATE OF NEW YORK

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5312

2017-2018 Regular Sessions

## IN ASSEMBLY

February 8, 2017

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Introduced by M. of A. CUSICK, KAVANAGH, WALKER, O'DONNELL, ABINANTI, GALEF, BUCHWALD, LIFTON, ZEBROWSKI, CARROLL -- (at request of the Department of Law) -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to establishing an electronic registration process integrated within designated agency applications (Part A); to amend the election law, in relation to establishing an electronic personal voter registration and absentee ballot application process (Part B); to amend the election law, in relation to student voting, transfer of registrations, affidavit ballots, moving deadlines and access to records (Part C); to amend the election law, in relation to allowing for polling place voter registration for any qualified person who is not registered to vote (Part D); to amend the election law, in relation to qualified absentee voters and to repeal certain provisions of such law relating thereto (Part E); to amend the election law, in relation to completing and filing watcher certificates and the form and manner of challenges of voter qualifications (Part F); to amend the election law, in relation to mandatory core curriculum and language access; and to amend the election law, in relation to mandatory training curriculum for election commissioners, key staff of boards of elections and poll workers (Part G); to amend the election law, in relation to early voting (Part H); to amend the election law and the correction law, in relation to voting by convicted felons (Part I); to amend the election law, in relation to additional days of voting as a result of emergencies (Part J); to amend the election law, in relation to primary elections and amending certain deadlines to facilitate the timely transmission of ballots to military voters stationed overseas and in relation to date of primary elections; and to amend the public officers law, in relation to filling vacancies in elective offices (Part K); and to amend the election law, in relation to the reimbursement to counties and the city of New York of certain additional costs associated with implementation and administration of the New York votes act (Part L)

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

LBD07824-05-7

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act enacts into law major components of legislation  
2 which are necessary to enact the New York votes act. Each component is  
3 wholly contained within a Part identified as Parts A through L. The  
4 effective date for each particular provision contained within such Part  
5 is set forth in the last section of such Part. Any provision in any  
6 section contained within a Part, including the effective date of the  
7 Part, which makes reference to a section "of this act", when used in  
8 connection with that particular component, shall be deemed to mean and  
9 refer to the corresponding section of the Part in which it is found.  
10 Section four of this act sets forth the general effective date of this  
11 act.

12 § 2. This act shall be known and may be cited as the "New York votes  
13 act".

14 PART A

15 Section 1. Article 5 of the election law is amended by adding a new  
16 title 9 to read as follows:

TITLE IX

AUTOMATIC ELECTRONIC VOTER REGISTRATION PROCESS

19 Section 5-900. Integrated personal voter registration application  
20 required.

21 5-902. Automatic reinstatement after forfeiture.

22 5-904. Failure to provide exemplar signature not to prevent  
23 registration.

24 5-906. Presumption of innocent authorized error.

25 5-908. Forms.

26 § 5-900. Integrated personal voter registration application required.  
27 1. In addition to any other method of voter registration provided for by  
28 this chapter, state and local agencies designated in subdivision ten of  
29 this section shall provide to the state board of elections voter regis-  
30 tration qualification information associated with each person who  
31 submits an application for services at such agency, or who notifies the  
32 agency of a change of address or name. Such designated agencies shall  
33 ensure agency applications substantially include all of the elements  
34 required by section 5-210 of this article, including the appropriate  
35 attestation, so that persons completing such applications shall be able  
36 to also submit an application to register to vote through the electronic  
37 voter registration transmittal system. For purposes of this section,  
38 "agency" shall mean any state or local agency, department, division,  
39 office, institution or other entity designated by the state board of  
40 elections pursuant to subdivision ten of this section.

41 2. For each application submitted to the agency, whether electron-  
42 ically or on paper, the agency shall transmit to the state board of  
43 elections through an interface with the electronic voter registration  
44 transmittal system established and maintained by the state board of  
45 elections that portion of the application that includes voter registra-  
46 tion information. The state board of elections shall electronically  
47 forward such application to the applicable board of elections of each  
48 county or the city of New York for filing, processing and verification  
49 consistent with this chapter.

50 3. An integrated voter registration form submitted to an agency in  
51 paper format shall be transmitted to the state board of elections

1 through an electronic voter registration transmittal system by convert-  
2 ing the paper form to an image file or a portable document format file  
3 which shall thereafter be deemed the original form for voter registra-  
4 tion and enrollment purposes. The agency shall retain the complete  
5 original paper application for no less than two years. The transmittal  
6 of the converted paper application may include or be accompanied by data  
7 elements and transmittal information as required by the rules and regu-  
8 lations of the state board of elections.

9 4. An integrated voter registration application submitted to an agency  
10 in an electronic format shall be transmitted to the state board of  
11 elections through the electronic voter registration transmittal system  
12 and shall include all of the voter registration data elements, including  
13 electronic signature, as applicable, and record of attestation of the  
14 accuracy of the voter registration information and any relevant document  
15 images.

16 5. Information from the voter relevant to both voter registration and  
17 the agency application shall be entered by the voter only once upon an  
18 application.

19 6. The agency shall redact or remove from the completed integrated  
20 application to be transmitted to the state board of elections any infor-  
21 mation solely applicable to the agency application.

22 6-a. Information concerning the citizenship status of individuals,  
23 when collected and transmitted pursuant to subdivision one of this  
24 section, shall not be retained, used or shared for any other purpose  
25 except as may be required by law.

26 7. A voter shall be able to decline to register to vote using an inte-  
27 grated application by selecting a single check box, or equivalent, which  
28 shall read "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION PURPOSES.  
29 DO NOT FORWARD MY INFORMATION TO THE BOARD OF ELECTIONS".

30 8. The voter shall be able to sign the voter registration application  
31 and the agency application by means of a single manual or electronic  
32 signature unless the agency requires more than one signature for other  
33 agency purposes.

34 9. No application for voter registration shall be submitted if the  
35 applicant declines registration or fails to sign the integrated applica-  
36 tion, whether on paper or online.

37 10. Designated agencies for purposes of this section shall include all  
38 agencies designated as voter registration agencies in sections 5-211 and  
39 5-212 of this article, as well as any other agency designated by the  
40 state board of elections. Any such designated agency shall take all  
41 actions that are necessary and proper for the implementation of this  
42 section, including facilitating technological capabilities to allow  
43 transmission of data through an interface with the electronic voter  
44 registration transmittal system in a secure manner.

45 11. Upon the release from a state correctional facility of any person  
46 serving a sentence of imprisonment on a felony conviction or any time  
47 assessment referenced in subdivision two, three or four of section 5-106  
48 of this article, the department of corrections and community supervision  
49 shall provide such person a voter registration form, pursuant to section  
50 seventy-five of the correction law and such form, if possible, shall be  
51 integrated with the release documents normally presented and signed upon  
52 release. The department of corrections and community supervision shall  
53 submit relevant information for such person through the voter registra-  
54 tion transmittal system and notify the board of elections of the  
55 person's discharge.

1 12. The state board of elections shall promulgate rules and regu-  
2 lations for the creation and administration of an integrated electronic  
3 voter registration process as provided for by this section.

4 § 5-902. Automatic reinstatement after forfeiture. Any person whose  
5 voter registration is canceled pursuant to section 5-106 of this article  
6 shall be automatically reinstated as a voter upon becoming eligible,  
7 unless such voter shall affirmatively decline such reinstatement. The  
8 department of corrections and community supervision shall notify the  
9 board of elections through the voter registration transmittal system of  
10 the date when the forfeiture of voting rights shall end and provide an  
11 updated address for such person, if known. If no new address for such  
12 voter is available at that time, such voter shall be reinstated at the  
13 address of the previously canceled registration; provided, however, if  
14 the mailed notification of such registration shall be returned undeliv-  
15 erable to the board of elections, such returned mail shall be processed  
16 in accordance with this article.

17 § 5-904. Failure to provide exemplar signature not to prevent regis-  
18 tration. If a voter registration exemplar signature is not provided by  
19 an applicant who submits a voter registration application pursuant to  
20 this title and such signature exemplar is not otherwise available from  
21 the statewide voter registration database or a state or local agency,  
22 the local board of elections shall, absent another reason to reject the  
23 application, proceed to register and, as applicable, enroll the appli-  
24 cant. Within ten days of such action, the board of elections shall send  
25 a standard form promulgated by the state board of elections to the voter  
26 whose record lacks an exemplar signature, requiring such voter to submit  
27 a signature for identification purposes. The voter shall submit to the  
28 board of elections a voter registration exemplar signature by any one of  
29 the following methods: in person, by mail with return postage paid  
30 provided by the board of elections, by electronic mail, or by electronic  
31 upload to the board of elections through the electronic voter registra-  
32 tion transmittal system. If such voter does not provide the required  
33 exemplar signature, when the voter appears to vote the voter shall be  
34 entitled to vote in the same manner as a voter with a notation indicat-  
35 ing the voter's identity has not yet been verified in the manner  
36 provided by section 8-302 of this chapter.

37 § 5-906. Presumption of innocent authorized error. 1. If a person who  
38 is ineligible to vote becomes registered to vote pursuant to section  
39 5-902 of this title, that person's registration shall be presumed to  
40 have been effected with official authorization and not the fault of that  
41 person. Such presumption may be rebutted with evidence of knowing and  
42 willful intent to falsely register to vote.

43 2. If a person who is ineligible becomes registered to vote pursuant  
44 to section 5-902 of this title and either votes or attempts to vote in  
45 an election held after the effective date of the person's registration,  
46 that person shall be presumed to have acted with official authorization  
47 and shall not be guilty of illegal voting or illegally attempting to  
48 vote. Such presumption may be rebutted with evidence of knowing and  
49 willful intent to vote or attempt to vote with knowledge that such  
50 person is not qualified or entitled to vote.

51 § 5-908. Forms. The state board of elections shall promulgate rules  
52 and regulations to implement this title. All agency forms and notices  
53 required by this title shall be approved by the state board of  
54 elections. All applications and notices for use by a board of elections  
55 pursuant to this title shall be promulgated by the state board of  
56 elections, and no addition or alternation to such forms by a board of

elections shall be made without approval of the state board of elections.

§ 2. This act shall take effect on the earlier occurrence of: (i) two years after it shall have become a law; provided, however, the state board of elections shall be authorized to implement necessary rules and regulations and to take steps required to implement this act immediately; or (ii) five days after the date of certification by the state board of elections that the information technology infrastructure to substantially implement this act is functional. Provided, further that the state board of elections shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

PART B

Section 1. Article 5 of the election law is amended by adding a new title 8 to read as follows:

TITLE VIII

ELECTRONIC PERSONAL VOTER REGISTRATION AND  
ABSENTEE BALLOT APPLICATION PROCESS

Section 5-800. Electronic voter registration transmittal system.

5-802. Online voter registration application.

5-803. Online absentee ballot application.

5-804. Failure to provide exemplar signature not to prevent registration.

§ 5-800. Electronic voter registration transmittal system. In addition to any other means of voter registration provided for by this chapter, the state board of elections shall establish and maintain an electronic voter registration transmittal system through which applicants may apply to register to vote online. The state board of elections shall electronically transmit such applications to the applicable board of elections of each county or the city of New York for filing, processing and verification consistent with this chapter. In accordance with technical specifications provided by the state board of elections, each board of elections shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the electronic voter registration transmittal system established by the state board of elections. Notwithstanding any other inconsistent provision of this chapter, applications filed using such system shall be considered filed with the applicable board of elections on the calendar date the application is initially transmitted by the voter through the electronic voter registration transmittal system.

§ 5-802. Online voter registration application. 1. A voter shall be able to apply to register to vote using a personal online voter registration application submitted through the electronic voter registration transmittal system when the voter:

(a) completes an electronic voter registration application promulgated by the state board of elections which shall include all of the voter registration information required by section 5-210 of this article; and

(b) affirms, subject to penalty of perjury, by means of electronic or manual signature, that the information contained in the voter registra-

1 tion application is true and that the applicant meets all of the quali-  
2 fications to become a registered voter; and

3 (c) consents to the use of an electronic copy of the individual's  
4 manual signature that is in the custody of the department of motor vehi-  
5 cles, the state board of elections, or other agency designated by  
6 sections 5-211 or 5-212 of this title, as the individual's voter regis-  
7 tration exemplar signature, or provides such a signature by direct  
8 upload in a manner that complies with the New York state electronic  
9 signature and records act and the rules and regulations promulgated by  
10 the state board of elections.

11 2. The board of elections shall provide the personal online voter  
12 registration application in any language required by the federal Voting  
13 Rights Act of 1965 (52 U.S.C. Sec. 10503) in any county in the state.

14 3. The online voter registration application process shall provide  
15 reasonable accommodations to improve accessibility for persons with  
16 disabilities, and shall be compatible for use with standard online  
17 accessibility assistance tools for persons with visual, physical or  
18 perceptive disabilities.

19 4. The state board of elections shall promulgate rules and regulations  
20 for the creation and administration of an online voter registration and  
21 absentee ballot application system pursuant to this section.

22 § 5-803. Online absentee ballot application. As part of, or in addi-  
23 tion to, the electronic voter registration transmittal system estab-  
24 lished pursuant to section 5-800 of this title, the state board of  
25 elections also shall provide a means by which qualified voters seeking  
26 to vote by absentee ballot can access, complete and submit online an  
27 absentee ballot application.

28 § 5-804. Failure to provide exemplar signature not to prevent regis-  
29 tration. If a voter registration exemplar signature is not provided by  
30 an applicant who submits a voter registration application pursuant to  
31 this title and such signature exemplar is not otherwise available from  
32 the statewide voter registration database or a state or local agency,  
33 the local board of elections shall, absent another reason to reject the  
34 application, proceed to register and, as applicable, enroll the appli-  
35 cant. Within ten days of such action, the board of elections shall send  
36 a standard form promulgated by the state board of elections to the voter  
37 whose record lacks an exemplar signature, requiring such voter to submit  
38 a signature for identification purposes. The voter shall submit to the  
39 board of elections a voter registration exemplar signature by any one of  
40 the following methods: in person, by mail with return postage paid  
41 provided by the board of elections, by electronic mail, or by electronic  
42 upload to the board of elections through the electronic voter registra-  
43 tion transmittal system. If such voter does not provide the required  
44 exemplar signature, when the voter appears to vote the voter shall be  
45 entitled to vote in the same manner as a voter with a notation indicat-  
46 ing the voter's identity has not yet been verified in the manner  
47 provided by section 8-302 of this chapter.

48 § 2. This act shall take effect on the earlier occurrence of: (i) two  
49 years after it shall have become a law; provided, however, the state  
50 board of elections shall be authorized to implement necessary rules and  
51 regulations and to take steps required to implement this act immediat-  
52 ely; or (ii) five days after the date of certification by the state board  
53 of elections that the information technology infrastructure to substan-  
54 tially implement this act is functional. Provided, further that the  
55 state board of elections shall notify the legislative bill drafting  
56 commission upon the occurrence of the enactment of the legislation

1 provided for in this act in order that the commission may maintain an  
2 accurate and timely effective data base of the official text of the laws  
3 of the state of New York in furtherance of effectuating the provisions  
4 of section 44 of the legislative law and section 70-b of the public  
5 officers law.

6 PART C

7 Section 1. Section 5-104 of the election law is amended by adding a  
8 new subdivision 3 to read as follows:

9 3. The provisions set forth in subdivision one of this section regard-  
10 ing the right of students to register and vote shall be interpreted in a  
11 manner consistent with the constitutional requirement that each citizen  
12 must be permitted to vote in that community which is the "locus of ...  
13 primary concern" to that citizen at the time of the election. Accord-  
14 ingly, a student attending a college or university in this state shall be  
15 permitted to retain his or her parental residence for voting purposes if  
16 the parental community remains the locus of the student's primary  
17 concern or, in the alternative, a student shall be permitted to register  
18 and vote from his or her residence within the college or university  
19 community if he or she regards the college or university as the communi-  
20 ty of primary concern.

21 § 2. Subdivisions 1 and 6 of section 5-208 of the election law, subdivi-  
22 sion 1 as amended by chapter 200 of the laws of 1996 and subdivision 6  
23 as added by chapter 659 of the laws of 1994, are amended to read as  
24 follows:

25 1. The board of elections shall transfer the registration and enroll-  
26 ment of any voter for whom it receives a notice of change of address to  
27 another address in the [~~same county or city~~] state, or for any voter who  
28 [~~casts~~] submits a ballot in an affidavit ballot envelope which sets  
29 forth such a new address. Such notices shall include, but not be limit-  
30 ed to, notices received from any state agency which conducts a voter  
31 registration program pursuant to the provisions of sections 5-211 and  
32 5-212 of this title or which transmits information, that the voter has  
33 notified such agency of a change of address in the [~~same city or county~~]  
34 state unless the voter has indicated that such change of address is not  
35 for voter registration purposes, notices of change of address from the  
36 United States Postal Service through the National Change of Address  
37 System, any notices of a forwarding address on mail sent to a voter by  
38 the board of elections and returned by the postal service, national or  
39 state voter registration forms, confirmation mailing response cards,  
40 United States Postal Service notices to correspondents of change of  
41 address, applications for registration from persons already registered  
42 [~~in such county or city~~], or any other notices to correspondents sent to  
43 the board of elections by such voters.

44 6. If a notice sent pursuant to [~~subdivision five of~~] this section is  
45 returned [~~by the postal service~~] as undeliverable and without a forward-  
46 ing address, the board of elections shall return the registration of  
47 such voter to the original address, send such voter a confirmation  
48 notice pursuant to the provisions of subdivision one of section 5-712 of  
49 this [~~title~~] article and place such voter in inactive status.

50 § 3. Subdivision 3 of section 5-208 of the election law, as added by  
51 chapter 659 of the laws of 1994, is amended to read as follows:

52 3. If such a notice is received at least [~~twenty~~] ten days before a  
53 primary, special or general election, such change of address must be  
54 completed before such election. If such a notice is not received at

1 least ten days before a primary, special or general election, then a  
2 voter may vote in accordance with subdivision three of section 8-302 of  
3 this chapter.

4 § 4. Subdivision 1 of section 4-117 of the election law, as amended by  
5 chapter 44 of the laws of 2016, is amended to read as follows:

6 1. The board of elections, [~~between August first and August fifth of~~  
7 ~~each year~~] not less than sixty-five days nor more than seventy days  
8 before the primary election in each year, shall send by mail on which is

9 endorsed such language designated by the state board of elections to  
10 ensure postal authorities do not forward such mail but return it to the  
11 board of elections with forwarding information, when it cannot be deliv-  
12 ered as addressed and which contains a request that any such mail  
13 received for persons not residing at the address be dropped back in the  
14 mail, a communication, in a form approved by the state board of  
15 elections, to every registered voter who has been registered without a  
16 change of address since the beginning of such year, except that the  
17 board of elections shall not be required to send such communications to  
18 voters in inactive status. The communication shall notify the voter of  
19 the days and hours of the ensuing primary and general elections, the  
20 place where he or she appears by his or her registration records to be  
21 entitled to vote, the fact that voters who have moved or will have moved  
22 from the address where they were last registered must [~~re-register or,~~  
23 ~~that if such move was to another address in the same county or city,~~  
24 ~~that such voter may~~] either notify the board of elections of his or her  
25 new address or vote by paper ballot at the polling place for his or her  
26 new address even if such voter has not re-registered, or otherwise noti-  
27 fied the board of elections of the change of address. If the location of  
28 the polling place for the voter's election district has been moved, the  
29 communication shall contain the following legend in bold type: "YOUR  
30 POLLING PLACE HAS BEEN CHANGED. YOU NOW VOTE AT.....". The commu-  
31 nication shall also indicate whether the polling place is accessible to  
32 physically disabled voters, that a voter who will be out of the city or  
33 county on the day of the primary or general election or a voter who is  
34 ill or physically disabled may obtain an absentee ballot, that a phys-  
35 ically disabled voter whose polling place is not accessible may request  
36 that his or her registration record be moved to an election district  
37 which has a polling place which is accessible, the phone number to call  
38 for applications to move a registration record or for absentee ballot  
39 applications, the phone number to call for the location of registration  
40 and polling places, the phone number to call to indicate that the voter  
41 is willing to serve on election day as an election inspector, poll  
42 clerk, interpreter or in other capacities, the phone number to call to  
43 obtain an application for registration by mail, and such other informa-  
44 tion concerning the elections or registration as the board may include.  
45 In lieu of sending such communication to every registered voter, the  
46 board of elections may send a single communication to a household  
47 containing more than one registered voter, provided that the names of  
48 all such voters appear as part of the address on such communication.

49 § 5. Paragraph (a) of subdivision 1 of section 5-400 of the election  
50 law, as amended by chapter 659 of the laws of 1994, is amended to read  
51 as follows:

52 (a) Moved his or her residence outside the [~~city or county in which he~~  
53 ~~is registered~~] state.

54 § 6. Paragraphs (b), (c) and (d) of subdivision 2 of section 5-400 of  
55 the election law, paragraphs (b) and (d) as added by section 20 and



1 paragraph (c) as added and paragraph (d) as relettered by section 22 of  
2 chapter 659 of the laws of 1994, are amended to read as follows:

3 (b) A notice that the registrant has moved to an address outside the  
4 [~~city or county~~] state which is signed by the registrant and sent to the  
5 board of elections.

6 (c) A notice signed by the registrant which states that such regis-  
7 trant has moved to an address outside the [~~city or county~~] state and  
8 that such change of address is for voter registration purposes.

9 (d) A notice from a board of elections or other voter registration  
10 officer or agency that such person has registered to vote from an  
11 address outside [~~such city or county~~] the state.

12 § 7. Subdivision 3 of section 5-210 of the election law, as amended by  
13 chapter 255 of the laws of 2015, is amended to read as follows:

14 3. Completed application forms, when received by any board of  
15 elections and, with respect to application forms promulgated by the  
16 federal election commission, when received by the state board of  
17 elections, or showing a dated cancellation mark of the United States  
18 Postal Service or contained in an envelope showing such a dated cancel-  
19 lation mark which is not later than the [~~twenty-fifth~~] tenth day before  
20 the next ensuing primary, general or special election, and received no  
21 later than the [~~twentieth~~] fifth day before such election, or delivered  
22 in person to such board of elections not later than the tenth day before  
23 a special election, shall entitle the applicant to vote in such  
24 election, if he or she is otherwise qualified, provided, however, such  
25 applicant shall not vote on a voting machine until his or her identity  
26 is verified. Any board of elections receiving an application form from a  
27 person who does not reside in its jurisdiction but who does reside else-  
28 where in the state of New York, shall forthwith forward such application  
29 form to the proper board of elections. Each board of elections shall  
30 make an entry on each such form of the date it is received by such  
31 board.

32 § 8. The opening paragraph of section 5-211 of the election law, as  
33 amended by chapter 265 of the laws of 2013, is amended to read as  
34 follows:

35 Each agency designated as a participating agency under the provisions  
36 of this section shall implement and administer a program of distribution  
37 of voter registration forms pursuant to the provisions of this section.  
38 The following offices which provide public assistance and/or provide  
39 state funded programs primarily engaged in providing services to persons  
40 with disabilities are hereby designated as voter registration agencies:  
41 designated as the state agencies which provide public assistance are the  
42 office of children and family services, the office of temporary and  
43 disability assistance and the department of health. Also designated as  
44 public assistance agencies are all agencies of local government that  
45 provide such assistance. Designated as state agencies that provide  
46 programs primarily engaged in providing services to people with disabil-  
47 ities are the department of labor, office for the aging, division of  
48 veterans' affairs, office of mental health, office of vocational and  
49 educational services for individuals with disabilities, commission on  
50 quality of care for the mentally disabled, office [~~of mental retardation~~  
51 and] for people with developmental disabilities, commission for the  
52 blind, office of alcoholism and substance abuse services, the office of  
53 the advocate for the disabled and all offices which administer programs  
54 established or funded by such agencies. Additional [~~state~~] agencies  
55 designated as voter registration offices are the department of state  
56 [~~and~~], the division of workers' compensation, the state university of

1 New York, the city university of New York, all public housing authori-  
2 ties listed in article thirteen of the public housing law, the depart-  
3 ment of corrections and community supervision and the New York division  
4 of military and naval affairs. Such agencies shall be required to offer  
5 voter registration forms to persons upon initial application for  
6 services, renewal or recertification for services and change of address  
7 relating to such services. Such agencies shall also be responsible for  
8 providing assistance to applicants in completing voter registration  
9 forms, receiving and transmitting the completed application form from  
10 all applicants who wish to have such form transmitted to the appropriate  
11 board of elections. The state board of elections shall, together with  
12 representatives of the department of defense, develop and implement  
13 procedures for including recruitment offices of the armed forces of the  
14 United States as voter registration offices when such offices are so  
15 designated by federal law. The state board shall also make request of  
16 the United States Immigration and Naturalization Service to include  
17 applications for registration by mail with any materials which are given  
18 to new citizens. [~~All institutions of the state university of New York~~  
19 ~~and the city university of New York, shall, at the beginning of the~~  
20 ~~school year, and again in January of a year in which the president of~~  
21 ~~the United States is to be elected, provide an application for registra-~~  
22 ~~tion to each student in each such institution.~~] The state board of  
23 elections may, by regulation, grant a waiver from any or all of the  
24 requirements of this section to any office or program of an agency, if  
25 it determines that it is not feasible for such office or program to  
26 administer such requirement.

27 § 9. Subdivision 3 of section 5-213 of the election law, as amended by  
28 chapter 200 of the laws of 1996, is amended to read as follows:

29 3. The board of elections shall restore the registration of any such  
30 voter to active status if such voter notifies the board of elections  
31 that he resides at the address from which he is registered, or the board  
32 finds that such voter has validly signed a designating or nominating  
33 petition which states that he resides at such address, or if such voter  
34 casts a ballot in an affidavit envelope which states that he resides at  
35 such address, or if the board receives notice that such voter has voted  
36 in an election conducted with registration lists prepared pursuant to  
37 the provisions of section 5-612 of this article. If any such notifica-  
38 tion or information is received [~~twenty~~] ten days or more before a  
39 primary, special or general election, the voter's name must be restored  
40 to active status for such election.

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

43 3. A change of enrollment received by the board of elections, showing  
44 a dated cancellation mark of the United States Postal Service or  
45 contained in an envelope showing such cancellation mark which is dated,  
46 not later than the [~~twenty-fifth~~] one hundred twentieth day before the  
47 [~~general election shall be deposited in a sealed enrollment box, which~~  
48 ~~shall not be opened until the first Tuesday following such general~~  
49 ~~election. Such change of enrollment shall be then removed and entered as~~  
50 ~~provided in this article~~] next ensuing primary, general or special  
51 election or delivered in person to such county board of elections not  
52 later than the one hundred twentieth day before a primary, general or  
53 special election, shall be effective for such election. Enrollment  
54 changes shall be entered as provided in this article and shall be deemed  
55 to take effect on the fifth day after such change of enrollment is  
56 received by the board of elections or if the change of enrollment, or

1 the envelope containing it, bears a dated cancellation mark of the  
2 United States Postal Service, such change shall be entered and shall be  
3 deemed to take effect on the tenth day after the date of such mark,  
4 whichever is earlier; except that no change will take effect sooner than  
5 the fifth day after the receipt of such change of enrollment by the  
6 board of elections.

7 § 11. The opening paragraph of paragraph (e) of subdivision 3 of  
8 section 8-302 of the election law, as amended by chapter 125 of the laws  
9 of 2011, is amended to read as follows:

10 Whenever a voter presents himself or herself and offers to cast a  
11 ballot, and he or she claims to live in the election district in which  
12 he or she seeks to vote but no registration poll record can be found for  
13 him or her in the poll ledger or his or her name does not appear on the  
14 computer generated registration list or his or her signature does not  
15 appear next to his or her name on such computer generated registration  
16 list or his or her registration poll record or the computer generated  
17 registration list does not show him or her to be enrolled in the party  
18 in which he or she claims to be enrolled and the voter is not otherwise  
19 eligible to cast an affidavit ballot pursuant to subdivision three-d of  
20 this section, a poll clerk or election inspector shall consult a map,  
21 street finder or other description of all of the polling places and  
22 election districts within the political subdivision in which said  
23 election district is located and if necessary, contact the board of  
24 elections to obtain the relevant information and advise the voter of the  
25 correct polling place and election district for the residence address  
26 provided by the voter to such poll clerk or election inspector. There-  
27 after, such voter shall be permitted to vote in said election district  
28 only as hereinafter provided:

29 § 12. Section 8-302 of the election law is amended by adding a new  
30 subdivision 3-d to read as follows:

31 3-d. A person appearing on election day whose name cannot be found in  
32 a poll ledger or computer generated registration list and who affirms  
33 that he or she interacted with an agency designated in subdivision ten  
34 of section 5-900 of this chapter and consented to voter registration  
35 shall be permitted to cast an affidavit ballot. Such affidavit ballot  
36 shall be counted if at the polling place, the person presents proof of  
37 identity and evidence of registering to vote or performing an activity  
38 specified in subdivision one of section 5-900 of this chapter, and there  
39 is no affirmative proof that the person is ineligible to register to  
40 vote or that the person did not register or perform any activity speci-  
41 fied in subdivision one of section 5-900 of this chapter.

42 (a) A person may swear to and subscribe to an affidavit stating that  
43 the person has registered to vote or performed any activity specified in  
44 subdivision one of section 5-900 of this chapter and consented to use  
45 agency information for voter registration. That affidavit shall be  
46 sufficient evidence of registering to vote or performing any activity  
47 specified in subdivision one of section 5-900 of this chapter for the  
48 purposes of this section.

49 (b) A person without identification may swear to and subscribe to an  
50 affidavit stating that the person did not present documentary proof of  
51 identity, but that all of the identifying information on the affidavit  
52 ballot envelope is complete and accurate. That affidavit shall be suffi-  
53 cient evidence of identity for the purposes of this section. Nothing in  
54 this subdivision shall be deemed to override the provisions of subdivi-  
55 sion two-a of this section governing the requirements for a person whose  
56 name appears in the computer generated registration list with a notation

1 indicating that the voter's identity was not yet verified as required by  
2 the federal Help America Vote Act.

3 § 13. Subdivision 3 of section 8-510 of the election law, as amended  
4 by chapter 43 of the laws of 1988, is amended to read as follows:

5 3. The inspectors shall place such completed report, each challenge  
6 affidavit and watcher affidavit and each court order, if any, directing  
7 that a person be permitted to vote, as well as each affidavit completed  
8 pursuant to subdivision three-d of section 8-302 of this article, inside  
9 a ledger of registration records or computer generated registration  
10 lists between the front cover, and the first registration record and  
11 then shall close and seal each ledger of registration records or comput-  
12 er generated registration lists, affix their signature to the seal, lock  
13 such ledger in the carrying case furnished for that purpose and enclose  
14 the keys in a sealed package or seal such list in the envelope provided  
15 for that purpose.

16 § 14. Subdivision 1 of section 3-220 of the election law, as amended  
17 by chapter 104 of the laws of 2010, is amended to read as follows:

18 1. All registration records, certificates, lists, and inventories  
19 referred to in, or required by, this chapter shall be public records and  
20 open to public inspection under the immediate supervision of the board  
21 of elections or its employees and subject to such reasonable regulations  
22 as such board may impose, provided, however, that no data transmitted  
23 pursuant to title nine of article five of this chapter shall be consid-  
24 ered a public record open to public inspection solely by reason of its  
25 transmission and that the following information shall not be released  
26 for public inspection:

27 (a) any voter's signature;

28 (b) the personal residence and contact information of any voter for  
29 whom any provision of law requires confidentiality;

30 (c) any portion of a voter's driver's license number, [~~department of~~  
31 motor vehicle] non-driver [~~photo-ID~~] identification card number, social  
32 security number and facsimile number [~~shall not be released for public~~  
33 ~~inspection];~~

34 (d) any voter's telephone number; and

35 (e) any voter's email address. No such records shall be handled at  
36 any time by any person other than a member of a registration board or  
37 board of inspectors of elections or board of elections except as  
38 provided by rules imposed by the board of elections.

39 § 15. Subdivisions 9, 11 and 14 of section 5-210 of the election law,  
40 subdivision 9 as amended by chapter 44 of the laws of 2016 and subdivi-  
41 sions 11 and 14 as amended by chapter 179 of the laws of 2005, are  
42 amended to read as follows:

43 9. The county board of elections shall, promptly and in any event, not  
44 later than twenty-one days after receipt by it of the application, veri-  
45 fy the identity of the applicant, except if such board receives the  
46 application within twenty-one days of a special, primary or general  
47 election, the board shall verify the identity of the applicant within  
48 five days or before such election, whichever shall be sooner. In order  
49 to do so, the county board of elections shall utilize the information  
50 provided in the application and shall attempt to verify such information  
51 with the information provided by the department of motor vehicles,  
52 social security administration and any other lawful available informa-  
53 tion source. If the county board of elections is unable to verify the  
54 identity of the applicant within twenty-one days of the receipt of the  
55 application, it shall immediately take steps to confirm that the infor-  
56 mation provided by the applicant was accurately utilized by such county

1 board of elections, was accurately verified with other information  
2 sources and that no data entry error, or other similar type of error,  
3 occurred. Following completion of the preceding steps, the county board  
4 of elections shall mail (a) a notice of its approval, (b) a notice of  
5 its approval which includes an indication that such board has not yet  
6 been able to verify the identity of the applicant and a request for more  
7 information so that such verification may be completed, or (c) a notice  
8 of its rejection of the application to the applicant in a form approved  
9 by the state board of elections. Notices of approval, notices of  
10 approval with requests for more information or notices of rejection  
11 shall be sent by nonforwardable first class or return postage guaranteed  
12 mail on which is endorsed such language designated by the state board of  
13 elections to ensure postal authorities do not forward such mail but  
14 return it to the board of elections with forwarding information, when it  
15 cannot be delivered as addressed and which contains a request that any  
16 such mail received for persons not residing at the address be dropped  
17 back in the mail. The voter's registration and enrollment shall be  
18 complete upon receipt of the application by the appropriate county board  
19 of elections. The failure of a county board of elections to verify an  
20 applicant's identity shall not be the basis for the rejection of a  
21 voter's application, provided, however, that such verification failure  
22 shall be the basis for requiring county board of elections to take the  
23 additional verification steps provided by this chapter. The notice shall  
24 also advise the registrant of the date when his registration and enroll-  
25 ment is effective, of the date and the hours of the next regularly sche-  
26 duled primary or general election in which he will be eligible to vote,  
27 of the location of the polling place of the election district in which  
28 he is or will be a qualified voter, whether such polling place is acces-  
29 sible to physically handicapped voters, an indication that physically  
30 handicapped voters or voters who are ill or voters who will be out of  
31 the city or county on the day of the primary or general election, may  
32 obtain an absentee ballot and the phone number to call for absentee  
33 ballot applications, the phone numbers to call for location of polling  
34 places, to obtain registration forms and the phone number to call to  
35 indicate that the voter is willing to serve on election day as an  
36 inspector, poll clerk or interpreter. The notice of approval, notice of  
37 approval with request for more information or notice of rejection shall  
38 also advise the applicant to notify the board of elections if there is  
39 any inaccuracy. The form of such mail notification shall be prescribed  
40 by the state board of elections and shall contain such other information  
41 and instructions as it may reasonably require to carry out the purposes  
42 of this section. The request for more information shall inform the voter  
43 that "THE FAILURE TO CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY  
44 INACCURACIES IN THE APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMA-  
45 TION MAY RESULT IN A REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO  
46 CAST A VOTE ON A VOTING MACHINE." If such notice is returned undelivered  
47 without a new address, the board shall forthwith send such applicant a  
48 confirmation notice pursuant to the provisions of section 5-712 of this  
49 article and place such applicant in inactive status. The state board of  
50 elections shall prepare uniform notices by this section as provided for  
51 in subdivision eight of section 3-102 of this chapter.

52 11. If the county board of elections suspects or believes that for any  
53 reason the applicant is not entitled to registration and enrollment, it  
54 shall make inquiry in reference thereto. If the board of elections shall  
55 find that the applicant is not qualified to register and enroll, the  
56 application shall be rejected and the applicant notified of such

1 rejection and the reason therefor, no later than ten days before the day  
2 of the first primary or general election occurring at least [~~twenty-~~  
3 ~~five~~] ten days after the filing of the application, except that if the  
4 application was submitted between twenty-five and ten days before the  
5 day of the first primary or general election, such board shall notify  
6 the applicant at least five days before such election.

7 14. Notwithstanding the entry by the county board of elections on the  
8 registration poll record of the information contained on an application  
9 form prescribed by this section, such entry shall not preclude the coun-  
10 ty board of elections from subsequently rejecting the application if it  
11 is not satisfied that the applicant is entitled to register and enroll  
12 as provided by this section, provided that the applicant is notified of  
13 such rejection and reasons therefor no later than ten days before the  
14 day of the first primary or general election occurring at least [~~twen-~~  
15 ~~ty-five~~] ten days after the filing of such application form, except that  
16 if the application was submitted between twenty-five and ten days before  
17 the day of the first primary or general election, such board shall noti-  
18 fy the applicant at least five days before such election.

19 § 16. This act shall take effect immediately; provided, however, that  
20 sections one, two, four, five, six, eight, eleven and twelve of this act  
21 shall take effect January 1, 2018; provided further that sections three,  
22 seven, nine, ten and fifteen of this act shall take effect January 1,  
23 2019. Effective immediately, any rules, regulations and agreements  
24 necessary to implement the provisions of this act on its effective date  
25 are authorized and directed to be completed on or before such date.

26 PART D

27 Section 1. Section 5-210 of the election law is amended by adding a  
28 new subdivision 1-a to read as follows:

29 1-a. (a) Notwithstanding any other provision of this article relating  
30 to registration requirements, any qualified person who is not registered  
31 in this state may apply personally for registration and enrollment by  
32 appearing at the appropriate polling place for the election district in  
33 which he or she resides on any day of election, primary, general, or  
34 special, during the hours that such polling place is open for voting. To  
35 be eligible to register pursuant to this subdivision, a person must  
36 provide acceptable forms of identification containing proof of resi-  
37 dence, as determined by state law implementing the Help Americans Vote  
38 Act of 2002 (Public Law 107-252). Any person who so registers to vote  
39 shall execute the following instrument in substantially the following  
40 form:

41 "I, (name), do hereby certify, under penalty of perjury, that, to the  
42 best of my knowledge, I am a qualified voter, having resided at (place  
43 of residence) for at least thirty days immediately preceding this  
44 election, that I am not disqualified on any legal grounds from voting,  
45 and that I have not already voted at this election."

46 (b) The board of elections shall establish a procedure by which a  
47 person who registers pursuant to paragraph (a) of this subdivision may  
48 cast his or her vote at the appropriate polling place.

49 (c) If a registrant is unable to provide valid proof of residence as  
50 provided for in paragraph (a) of this subdivision, such registrant may  
51 be allowed to register for and vote in any election by affidavit ballot.  
52 Such affidavit ballot shall not be counted until election officials can  
53 determine such registrant's residence and eligibility to vote.

1 § 2. This act shall take effect on the first of January next succeed-  
 2 ing the date upon which the people shall approve and ratify amendments  
 3 to section 5 of article 2 of the constitution by a majority of the elec-  
 4 tors voting thereon relating to the ten day advance registration  
 5 requirement.

6 PART E

7 Section 1. Subdivisions 1 and 2 of section 8-400 of the election law,  
 8 subdivision 1 as amended by chapter 63 of the laws of 2010, paragraph  
 9 (c) of subdivision 1 as amended by chapter 375 of the laws of 2015, the  
 10 opening paragraph of subdivision 2 as amended by chapter 216 of the laws  
 11 of 1988, paragraph (a) of subdivision 2 as amended by chapter 263 of the  
 12 laws of 1991, paragraph (c) of subdivision 2 as amended by chapter 321  
 13 of the laws of 1988 and paragraph (d) of subdivision 2 as separately  
 14 amended by chapters 97 and 104 of the laws of 2010, are amended to read  
 15 as follows:

16 1. A qualified voter may vote as an absentee voter under this chapter  
 17 if[~~, on the occurrence of any village election conducted by the board of~~  
 18 ~~elections, primary election, special election, general election or New~~  
 19 ~~York city community school board district or city of Buffalo school~~  
 20 ~~district election, he or she expects to be:~~

21 ~~(a) absent from the county of his or her residence, or, if a resident~~  
 22 ~~of the city of New York absent from said city, or~~

23 ~~(b) unable to appear personally at the polling place of the election~~  
 24 ~~district in which he or she is a qualified voter because of illness or~~  
 25 ~~physical disability or duties related to the primary care of one or more~~  
 26 ~~individuals who are ill or physically disabled, or because he or she~~  
 27 ~~will be or is a patient in a hospital, or~~

28 ~~(c) a resident or patient of a veterans health administration hospi-~~  
 29 ~~tal, or~~

30 ~~(d) absent from his or her voting residence because he or she is~~  
 31 ~~detained in jail awaiting action by a grand jury or awaiting trial, or~~  
 32 ~~confined in jail or prison after a conviction for an offense other than~~  
 33 ~~a felony, provided that he or she is qualified to vote in the election~~  
 34 ~~district of his or her residence] he or she requests an application for  
 35 an absentee ballot on a form to be obtained and filed as provided herein  
 36 or by letter as provided in paragraph (d) of subdivision two of this  
 37 section.~~

38 2. A qualified voter desiring to vote at such election as an absentee  
 39 voter [~~for any reason specified in subdivision one hereof~~] must make  
 40 application for an absentee ballot on a form to be obtained and filed as  
 41 provided herein or by letter as provided in paragraph (d) of this subdi-  
 42 vision.

43 (a) Application forms shall be furnished by and may be obtained from  
 44 any board of elections at any time until the day before such election,  
 45 and shall also be available for online completion and submission pursu-  
 46 ant to section 5-803 of this chapter. Application forms shall also be  
 47 supplied by the board of inspectors of the election district in which  
 48 applicant is a qualified voter on all of the days provided for local  
 49 registration. In addition, application forms shall be supplied upon the  
 50 request of the person authorized to vote pursuant to this section, any  
 51 such person's spouse, parent or child, a person residing with the appli-  
 52 cant as a member of his household, or the applicant's duly authorized  
 53 agent. Application forms sent outside of the United States to a country  
 54 other than Canada or Mexico, shall be sent airmail. Any reference to

1 "board of elections" in the remaining provisions of this section, except  
2 with respect to the furnishing and obtaining of applications for absen-  
3 tee ballots, means only the board of elections of the county or city in  
4 which the applicant is a qualified voter.

5 (b) Applications may be filed either with the board of elections or in  
6 person with the board of inspectors of the election district in which  
7 the applicant is a qualified voter, on one of the days provided for  
8 local registration.

9 (c) ~~All~~ Except as otherwise provided in paragraph (a) of this subdivi-  
10 vision, applications must be mailed to the board of elections not later  
11 than the seventh day before the election for which a ballot is first  
12 requested or delivered to such board not later than the day before such  
13 election.

14 (d) The board of elections shall mail an absentee ballot to every  
15 qualified voter otherwise eligible for such a ballot, who requests such  
16 an absentee ballot from such board of elections in writing in a letter,  
17 telefax indicating the address, phone number and the telefax number from  
18 which the writing is sent or other written instrument, which is signed  
19 by the voter and received by the board of elections not earlier than the  
20 thirtieth day nor later than the seventh day before the election for  
21 which the ballot is first requested and which states the address where  
22 the voter is registered and the address to which the ballot is to be  
23 mailed; provided, however, a military voter may request a military  
24 ballot or voter registration application or an absentee ballot applica-  
25 tion in a letter as provided in subdivision three of section 10-106 of  
26 this chapter; and provided further, a special federal voter may request  
27 a special federal ballot or voter registration application or an absen-  
28 tee ballot application in a letter as provided in paragraph d of subdivi-  
29 sion one of section 11-202 of this chapter. The board of elections  
30 shall enclose with such ballot a form of application for absentee ballot  
31 if the applicant is registered with such board of elections.

32 § 2. Paragraphs (c) and (d) of subdivision 3 and subdivision 4 of  
33 section 8-400 of the election law are REPEALED.

34 § 3. This act shall take effect on the first of January next succeed-  
35 ing the date upon which the people shall approve and ratify amendments  
36 to section 2 of article 2 of the constitution by a majority of electors  
37 voting thereon relating to absentee voting.

38 PART F

39 Section 1. Section 4-117 of the election law is amended by adding a  
40 new subdivision 4 to read as follows:

41 4. Any person, other than an election officer, who mails or causes to  
42 be mailed, between August first and December thirty-first of any calen-  
43 dar year, any first class nonforwardable mail, where such person knows  
44 or reasonably should know that such nonforwardable mail: (a) is intended  
45 to be delivered to a registered voter or voter registration applicant;  
46 and (b) may be used by a challenger, other than an election officer, on  
47 election day to challenge the qualifications of a voter, shall file  
48 within two business days of such mailing, a duplicate copy of such  
49 nonforwardable mail, a duplicate copy of names and addresses to which  
50 such nonforwardable mail was sent, and a completed form prescribed by  
51 the state board of elections. The failure to comply with the provisions  
52 of this subdivision shall be punishable as a misdemeanor.

53 § 2. Subdivision 1-a of section 8-104 of the election law, as amended  
54 by chapter 164 of the laws of 2010, is amended to read as follows:



1 1-a. The election inspectors shall conspicuously post in the polling  
2 place before the opening of the polls, a voter information posting,  
3 which shall include: (a) the sample ballot and instructions for the use  
4 of ballot scanners and ballot marking devices required pursuant to  
5 section 7-118 of this chapter; (b) a statement that "today is election  
6 day" and the hours during which polling places will be open; (c)  
7 instructions on how to cast an affidavit ballot and a concise statement  
8 of a voter's right to such a ballot; (d) instructions relating to  
9 requirements for voting on ballot scanners by those registrants who must  
10 provide identification pursuant to the federal Help America Vote Act of  
11 2002; (e) instructions for first-time voters; (f) a voter's bill of  
12 rights describing voter's rights under applicable federal and state law,  
13 including the right of accessibility and alternate language accessibil-  
14 ity; (g) information pertaining to voting by election day paper ballot,  
15 including information about the consequence of casting an overvote,  
16 steps to prevent unintentional undervoting and spoiled ballots; (h)  
17 instructions on how to contact the appropriate officials if a voter's  
18 right to vote or right to otherwise participate in the electoral process  
19 has been violated; ~~and~~ (i) general information on federal and state  
20 laws regarding prohibitions on acts of fraud and misrepresentation; and  
21 (j) information about the requirements of a challenge on election day as  
22 provided in subdivision three of section 8-502 of this article. The  
23 state board of elections shall prescribe the form and content of the  
24 voter information posting, which may be comprised of one or more pages,  
25 provided each page shall be posted separately. The state board of  
26 elections shall prescribe an official version of such voter information  
27 posting for every language which appears on any general, primary or  
28 special election ballot in any election district in the state and for  
29 such other languages as such board, in its opinion, determines is appro-  
30 priate. Such posting shall be used in all jurisdictions, and a separate  
31 posting shall be made by election inspectors for each language appearing  
32 on the ballot and for such additional languages as the board of  
33 elections may require. A board of elections may modify or supplement the  
34 voter information posting used in its jurisdiction to provide additional  
35 or local information; provided, however, any such modification or  
36 supplementation shall be submitted to the state board of elections for  
37 prior approval.

38 § 3. Section 8-500 of the election law, as amended by chapter 9 of the  
39 laws of 1978, subdivisions 1 and 3 as amended by chapter 373 of the laws  
40 of 1978, and subdivision 4 as amended by chapter 254 of the laws of  
41 2014, is amended to read as follows:

42 § 8-500. Watchers; provision for. 1. At any general, special, town or  
43 village election, any party committee or independent body whose candi-  
44 dates are upon the ballot, and at any primary election, any two or more  
45 candidates and any political committee may have for each election  
46 district three watchers at any one time, not more than one of whom may  
47 be within the guard rail at any one time. Watchers shall be appointed by  
48 the ~~chairman~~ chairperson or secretary of any such party, committee or  
49 independent body or by the candidates.

50 2. Watchers may be present at the polling place at least fifteen  
51 minutes before the unlocking and examination of any voting machine or  
52 ballot box at the opening of the polls, until after the signing of the  
53 inspectors' returns and proclamation of the result; provided, however,  
54 that upon entering any polling place, each watcher shall deliver a  
55 completed certificate, issued pursuant to subdivision three of this  
56 section, to the appointed or designated chairperson of the election

1 inspectors, as provided for in section 3-400 of this chapter, at each  
2 election district where such watcher is permitted to serve by such  
3 certificate.

4 2-a. The appointed or designated chairperson of the election inspec-  
5 tors, as provided for in section 3-400 of this chapter, shall initial  
6 each watcher certificate upon delivery. At the close of an election,  
7 the inspectors shall place each watcher certificate inside the ledger of  
8 registration records or computer generated registration list, as  
9 provided for in section 8-510 of this title.

10 3. The appointment of watchers for any election shall be by a certifi-  
11 cate in writing issued by the [~~chairman~~] chairperson or secretary of  
12 the political party, party committee or independent body, or the candi-  
13 dates. [~~Such certificate shall be delivered to an inspector at the~~  
14 ~~election district.~~] The state board of elections shall prescribe the  
15 content and form of watcher certificates for use at any general,  
16 special, town or village election and at any primary election. The  
17 information provided on such certificate shall include, but not be  
18 limited to, the watcher's first and last name, the watcher's residential  
19 address, the first and last name of the chairperson or secretary of the  
20 political party, committee or independent body, or the candidates that  
21 issued such certificate, the signature of such chairperson or secretary  
22 of the political party, committee or independent body, and the town or  
23 city, ward (if applicable) and election district for which the watcher  
24 certificate was issued.

25 4. Each watcher must be a qualified voter of the city or county in  
26 which he or she is to serve. No person shall be appointed or act as a  
27 watcher who is a candidate for any public office to be voted for by the  
28 voters of the election district in the same election in which the watch-  
29 er is to serve. Nothing in this subdivision shall be construed as  
30 prohibiting any such candidate from visiting a polling place in such  
31 district on an election day while the polls are open.

32 § 4. Section 8-502 of the election law, as amended by chapter 373 of  
33 the laws of 1978, is amended to read as follows:

34 § 8-502. Challenges; generally. 1. Before his or her vote is cast at  
35 an election any person may, in accordance with the provisions of this  
36 section, be challenged as to his or her right to vote, or his or her  
37 right to vote by absentee, military, special federal or special presi-  
38 dential ballot. Such challenge may be made by an inspector or clerk, by  
39 any duly appointed watcher, or by any registered voter properly in the  
40 polling place.

41 2. An inspector shall challenge every person offering to vote, whom he  
42 or she shall know or suspect is not entitled to vote in the district,  
43 and every person whose name appears on the list of persons to be chal-  
44 lenged on election day which is furnished by the board of elections.

45 3. Any person, other than an inspector or clerk, may challenge the  
46 qualifications of a voter only by completing, executing and delivering  
47 to the board of inspectors a challenge affidavit that satisfies the  
48 requirements of section 8-503 of this title.

49 § 5. The election law is amended by adding a new section 8-503 to read  
50 as follows:

51 § 8-503. Challenge affidavit. 1. The state board of elections shall  
52 prescribe the content and form of a challenge affidavit for use at any  
53 general, special, town or village election and at any primary election.  
54 Such affidavit shall contain the affiant's full name, residence, and  
55 business address, the name of his or her employer, the registration  
56 serial number of the person challenged and a recital of the reasons and

1 the facts supporting the affiant's belief that the person challenged  
2 lacks one or more of the qualifications for voting prescribed in section  
3 5-102 or 5-106 of this chapter and specified in such affidavit. The  
4 affidavit shall state if the reasons for challenge are based upon the  
5 affiant's personal knowledge, or upon information received from another  
6 person. If the affiant's belief is based upon information furnished by  
7 another, the affidavit shall recite the name of the person furnishing  
8 the information and the basis for his or her information. After the  
9 affiant has signed such affidavit, an inspector shall read to him or her  
10 and request him or her to sign the following oath, which shall be  
11 subscribed by such affiant: "I do solemnly swear (or affirm) that I am  
12 a qualified voter of the city or county in which this affidavit is  
13 signed and that the foregoing statement made by me on (insert day, month  
14 and year) is a truthful disclosure of the reasons for my good faith  
15 belief that the registered voter therein named is not qualified to  
16 continue to vote in the election district in which he or she is now  
17 registered." If the affiant shall take and sign such oath, an inspector  
18 shall sign his or her name as a witness below the affiant's subscription  
19 to such oath. Each challenge affidavit may only challenge the quali-  
20 fications of one voter.

21 2. The board of elections shall make challenge affidavit forms avail-  
22 able to all qualified voters.

23 § 6. Paragraphs (b) and (e) of subdivision 2 of section 8-508 of the  
24 election law, as amended by chapter 200 of the laws of 1996, are amended  
25 to read as follows:

26 (b) The second section of such report shall be reserved for the board  
27 of inspectors to enter the name, address and registration serial number  
28 of each person who is challenged on the day of election or on any day in  
29 which there is early voting pursuant to section 8-600 of this article,  
30 together with the reason for the challenge, the name and address of the  
31 person challenging the qualifications of such voter, if such person  
32 challenging the qualifications is not an inspector or clerk, and the  
33 words "Permitted to Vote" or "Refused to take oath". If no voters are  
34 challenged, the board of inspectors shall enter the words "No Chal-  
35 lenges" across the space reserved for such names. In lieu of preparing  
36 section two of the challenge report, the board of elections may provide,  
37 next to the name of each voter on the computer generated registration  
38 list, a place for the inspectors of election to record the information  
39 required to be entered in such section two, or provide at the end of  
40 such computer generated registration list, a place for the inspectors of  
41 election to enter such information.

42 (e) At the foot of such report and at the end of any such computer  
43 generated registration list shall be printed a certificate that such  
44 report contains the names of all persons who were challenged on the day  
45 of election, and ~~[that each voter so reported as having been challenged~~  
46 ~~took the oaths as required]~~ the reason for such challenge and the names  
47 and addresses of all challengers who are not inspectors or clerks, that  
48 such report contains the names of all voters to whom such board gave or  
49 allowed assistance and lists the nature of the disability which required  
50 such assistance to be given and the names and family relationship, if  
51 any, to the voter of the persons by whom such assistance was rendered;  
52 that each such assisted voter informed such board under oath that he or  
53 she required such assistance and that each person rendering such assist-  
54 ance took the required oath; that such report contains the names of all  
55 voters who were permitted to vote although their registration poll  
56 records were missing; that the entries made by such board are a true and

1 accurate record of its proceedings with respect to the persons named in  
2 such report.

3 § 7. Subdivisions 1 and 2 of section 17-108 of the election law, as  
4 amended by chapter 373 of the laws of 1978, are amended to read as  
5 follows:

6 1. Any person who wilfully loses, alters, destroys or mutilates a  
7 watcher certificate, the list of voters or registration poll ledgers, a  
8 challenge affidavit, or a challenge report in any election district, or  
9 a certified copy thereof, is guilty of a misdemeanor.

10 2. An applicant for registration who shall make, incorporate or cause  
11 to be incorporated a material false statement in an application for  
12 registration, or in any challenge or other affidavit required for or  
13 made or filed in connection with registration or voting, and any person  
14 who knowingly takes a false oath before a board of inspectors of  
15 election, and any person who makes a material false statement in a  
16 medical certificate, challenge affidavit or an affidavit filed in  
17 connection with an application for registration, is guilty of a misde-  
18 meanor.

19 § 8. Section 17-150 of the election law is amended to read as follows:

20 § 17-150. Duress and intimidation of voters. 1. Any person or corpo-  
21 ration who directly or indirectly:

22 [~~1-~~] (a) Uses or threatens to use any force, violence or restraint, or  
23 inflicts or threatens to inflict any injury, damage, harm or loss, or in  
24 any other manner practices intimidation upon or against any person in  
25 order to induce or compel such person to vote or refrain from voting for  
26 or against any particular person or for or against any proposition  
27 submitted to voters at such election, or to place or cause to be placed  
28 or refrain from placing or causing to be placed his or her name upon a  
29 registry of voters, or on account of such person having voted or  
30 refrained from voting at such election, or having voted or refrained  
31 from voting for or against any particular person or persons, or for or  
32 against any proposition submitted to voters at such election, or having  
33 registered or refrained from registering as a voter; or,

34 [~~2-~~] (b) By abduction, duress or any forcible or fraudulent device or  
35 contrivance whatever impedes, prevents or otherwise interferes with the  
36 free exercise of the elective franchise by any voter, or compels,  
37 induces or prevails upon any voter to give or refrain from giving his or  
38 her vote for or against any particular person at any election; or,

39 [~~3-~~] (c) Being an employer pays his [~~employess~~] or her employees the  
40 salary or wages due in "pay envelopes," in which there is enclosed or  
41 upon which there is written or printed political motto, device or argu-  
42 ment containing threats, express or implied, intended or calculated to  
43 influence the political opinions or actions of such employees, or within  
44 ninety days of a general election puts or otherwise exhibits in the  
45 establishment or place where his or her employees are engaged in labor,  
46 any handbill or placard containing any threat, notice or information,  
47 that if any particular ticket or candidate is elected or defeated, work  
48 in his or her place or establishment will cease, in whole or in part,  
49 his or her establishment will be closed up, or the wages of his or her  
50 employees reduced, or other threats, express or implied, intended or  
51 calculated to influence the political opinions or actions of his or her  
52 employees, is guilty of a misdemeanor, and, if a corporation, shall in  
53 addition forfeit its charter.

54 2. There shall be a rebuttable presumption that a person has practiced  
55 intimidation upon or against another person in order to induce such  
56 other person to refrain from voting for or against any particular person

1 or for or against any proposition, within the meaning of paragraph (a)  
 2 of subdivision one of this section, where he or she:

3 (a) being other than an inspector or clerk, in the course of a single  
 4 election, challenges the qualifications of thirty or more voters during  
 5 such election, and where the board of elections, following an investi-  
 6 gation pursuant to paragraph (f) of subdivision two of section 8-508 of  
 7 this chapter, finds at least two-thirds of such challenged voters to be  
 8 qualified voters; or

9 (b) being other than an inspector or clerk, challenges the qualifica-  
 10 tions of a voter at any general, primary, special, town or village  
 11 election and thereafter, without good cause, fails to comply with the  
 12 requirements of section 8-503 of this chapter.

13 § 9. Subdivision 1 of section 17-154 of the election law is amended to  
 14 read as follows:

15 1. (a) Intimidate, threaten or coerce, or to attempt to intimidate,  
 16 threaten or coerce, any other person for the purpose of interfering with  
 17 the right of such other person to register to vote, to vote, to vote  
 18 as he or she may choose, or for the purpose of causing such other person  
 19 to vote for, or not to vote for, any candidate for the office of gover-  
 20 nor, lieutenant-governor, attorney-general, comptroller, judge of any  
 21 court, member of the senate, or member of the assembly at any election  
 22 held solely or in part for the purpose of selecting a governor, lieuten-  
 23 ant-governor, attorney-general, comptroller, any judge or any member of  
 24 the senate or any member of the assembly; [~~or~~]

25 (b) There shall be a rebuttable presumption that a person has violated  
 26 paragraph (a) of this subdivision when, during any election enumerated  
 27 in such subdivision, he or she:

28 (i) being other than an inspector or clerk, challenges the qualifica-  
 29 tions of thirty or more voters during such election, and where the board  
 30 of elections, following an investigation pursuant to paragraph (f) of  
 31 subdivision two of section 8-508 of this chapter, finds at least two-  
 32 thirds of such challenged voters to be qualified voters; or

33 (ii) being other than an inspector or clerk, challenges the qualifica-  
 34 tions of a voter at any such election and, without good cause, fails to  
 35 comply with the requirements of section 8-503 of this chapter; or

36 § 10. This act shall take effect one year after it shall have become a  
 37 law.

38 PART G

39 Section 1. Subdivision 1-a of section 3-412 of the election law, as  
 40 added by chapter 181 of the laws of 2005, is amended to read as follows:

41 1-a. The state board of elections shall establish a mandatory core  
 42 curriculum for poll worker training which includes the requirements in  
 43 subdivision two of this section, [~~as amended by a chapter of the laws of~~  
 44 ~~2005,~~] and the rights of voters at the polls and obligation of election  
 45 workers to protect those rights while maintaining the integrity of the  
 46 franchise, including [~~assisting~~] accommodating voters with disabilities  
 47 or with limited or no proficiency in the English language, handling,  
 48 processing and entitlement to ballots, including affidavit and emergency  
 49 ballots, proper identification requirements, procedures to be followed  
 50 with respect to voters whose names are not on the list of registered  
 51 voters or whose identities have not been verified, electioneering and  
 52 other violations of the elective franchise as defined in this chapter,  
 53 solicitation by individuals and groups at the polling place and proce-  
 54 dures to be followed after the polls close. Such core curriculum also

1 shall include specific training in the proper operation of voting  
 2 systems used in the election; procedures for expeditiously providing  
 3 directions to voters about their assigned election district; ensuring  
 4 polling sites are accessible to voters with disabilities or other  
 5 specific needs; providing accommodation to persons who are illiterate;  
 6 the requirements for conducting signature verification of voters; the  
 7 requirements for individuals seeking to challenge voter eligibility and  
 8 the process for handling any such challenges; and security procedures  
 9 for the election. Each board of elections shall augment the core curric-  
 10 ulum with local procedures not inconsistent with the core curriculum  
 11 adopted by the state board of elections and which includes procedures  
 12 relating to proper operation of, and remedying problems with, the voting  
 13 machine or system in use in that jurisdiction. Each board of elections  
 14 shall also develop and implement procedures to assist in the recruiting  
 15 of new poll workers, including by focusing on recruitment of recent high  
 16 school graduates, students attending orientation proceedings at state  
 17 and public colleges and universities and newly naturalized citizens at  
 18 naturalization proceedings.

19 § 2. The election law is amended by adding a new section 3-213 to read  
 20 as follows:

21 § 3-213. Boards of elections; mandatory training curriculum. 1.  
 22 Election commissioners and such other board of elections employees as  
 23 determined by the state board of elections shall within six months after  
 24 their first appointment complete a course of instruction on the opera-  
 25 tion of a board of elections which shall be provided by the state board  
 26 of elections. The curriculum shall be established by the state board of  
 27 elections in consultation with election commissioners and shall not  
 28 exceed thirty hours of instruction.

29 2. Annually, election commissioners and other board of elections  
 30 employees as determined by the state board of elections, shall complete  
 31 before June first a continuing course of instruction on the operation of  
 32 a board of elections which shall be provided by the state board of  
 33 elections. The curriculum shall be established by the state board of  
 34 elections in consultation with the election commissioners and shall not  
 35 exceed three hours of instruction.

36 3. The state board of elections shall provide the training required by  
 37 subdivision two of this section through, in addition to other methods it  
 38 may choose, a web-based recorded format.

39 4. Upon the failure of a commissioner or other employee to complete  
 40 the instruction within the time required by this section, the state  
 41 board of elections shall send a letter to the county legislature or city  
 42 council and the respective county party chair of the jurisdiction of the  
 43 commissioner stating the delinquency.

44 § 3. Section 3-412 of the election law is amended by adding three new  
 45 subdivisions 1-b, 1-c and 1-d to read as follows:

46 1-b. The state board of elections shall establish and host an educa-  
 47 tion and training institute which shall be responsible for the develop-  
 48 ment and implementation of a statewide program wherein persons can  
 49 become certified poll worker trainers. This institute shall also create  
 50 a train-the-trainer program, in order for county boards of elections to  
 51 implement an effective training program at their respective local level  
 52 of program delivery. The state board's trainers shall include in the  
 53 trainer curriculum to be developed, attention to, inter alia, poll work-  
 54 er ability to serve a diverse electorate with complete confidence and  
 55 respect; professionalizing the delivery of all election day services;  
 56 providing assistance to voters with disabilities and those with limited

1 English language proficiency, ensuring the dignity and privacy of such  
2 individuals; and to individuals who are members of racial or ethnic  
3 minorities, complete familiarity and comfort with all voting systems in  
4 use in poll sites, including ballot marking devices or other  
5 systems/services available to voters with disabilities; and poll worker  
6 ability to recognize and resolve a variety of issues which may arise in  
7 poll sites. The state board's trainers and all certified poll worker  
8 instructors shall utilize industry-proven training techniques aimed at  
9 adult learners including role-based training and hands-on training  
10 opportunities using official election day forms and poll site voting  
11 systems and may further include a web-based component and companion  
12 video.

13 1-c. County boards shall enroll trainers in the program in such quan-  
14 tities to ensure that an adequate contingent of fully trained and certi-  
15 fied poll worker trainers are available to meet the training needs of  
16 such county. Each county board of elections shall enroll not less than  
17 two persons designated by the county board on a bipartisan basis, in the  
18 state board of elections training institute. Certified trainers must  
19 maintain their certification by attending once every two years, a  
20 continuing education program, to ensure the professionalism of the poll  
21 worker training agenda set by the state board of elections. Enrollees  
22 who have successfully completed the state board's training program and  
23 been awarded a "certified poll worker instructor" certificate may serve  
24 at the county board as a trainer of poll workers as well as a trainer of  
25 other bi-partisan designees of the county board, however the conferring  
26 of the title "certified poll worker instructor" may be made only by the  
27 state board of elections.

28 1-d. The state board of elections shall adopt such rules and regu-  
29 lations which may be necessary to create the training institute and  
30 associated curricula provided for in subdivisions one-a, one-b and one-c  
31 of this section, including a process whereby attendees who successfully  
32 complete a state board-sponsored training program shall be awarded a  
33 certificate conferring upon him or her, the title of "certified poll  
34 worker instructor".

35 § 4. The election law is amended by adding a new section 3-507 to read  
36 as follows:

37 § 3-507. Language access. 1. In addition to the requirements set forth  
38 in section 3-506 of this title, whenever any county board of elections  
39 finds that at least three percent of the voting-age residents of an  
40 election district in that county are non-English speaking or limited  
41 English proficient pursuant to data made available by the United States  
42 Census Bureau, it shall provide in such election district registration  
43 or voting notices, forms, instructions, assistance, or other materials  
44 or information relating to the electoral process, including ballots, in  
45 the language of the applicable minority language group, in a manner that  
46 provides the same opportunity for access and participation as for other  
47 voters. This provision shall be subject to the requirements of federal  
48 law, including section 203 and section 4(f) of the Voting Rights Act of  
49 1965, to the extent such laws are applicable.

50 2. As used in this section, the terms "limited English proficient" and  
51 "non-English speaking" shall refer to a person whose native speaking  
52 language is a language other than English, and who continues to use his  
53 or her native language as the primary means of oral and written communi-  
54 cation.

55 § 5. This act shall take effect immediately; provided, however, that  
56 sections two and three of this act shall take effect on the one hundred

1 eightieth day after it shall have become a law; provided, however, that  
 2 effective immediately, the addition, amendment and/or repeal of any rule  
 3 or regulation necessary for the implementation of this act on its effec-  
 4 tive date are authorized and directed to be made and completed on or  
 5 before such effective date.

6

## PART H

7 Section 1. Section 3-400 of the election law is amended by adding a  
 8 new subdivision 9 to read as follows:

9 9. Notwithstanding any inconsistent provisions of this article,  
 10 election inspectors or poll clerks, if any, at polling places for early  
 11 voting, shall consist of either board of elections employees who shall  
 12 be appointed by the commissioners of such board or duly qualified indi-  
 13 viduals, appointed in the manner set forth in this section. Appointments  
 14 to the offices of election inspector or poll clerk in each polling place  
 15 for early voting shall be equally divided between the major political  
 16 parties. The board of elections shall assign staff and provide the  
 17 resources they require to ensure wait times at early voting sites do not  
 18 exceed thirty minutes.

19 § 2. Section 4-117 of the election law is amended by adding a new  
 20 subdivision 1-a to read as follows:

21 1-a. The notice required by subdivision one of this section shall  
 22 include the dates, hours and locations of early voting for the general  
 23 and primary election. The board of elections may satisfy the notice  
 24 requirement of this subdivision by providing in the notice instructions  
 25 to obtain the required early voting information from a website of the  
 26 board of elections and providing a phone number to call for such infor-  
 27 mation.

28 § 3. Subdivision 2 of section 8-100 of the election law, as amended by  
 29 chapter 335 of the laws of 2000, is amended to read as follows:

30 2. Polls shall be open for voting during the following hours: a prima-  
 31 ry election from [~~twelve o'clock noon until nine o'clock in the evening,~~  
 32 ~~except in the city of New York and the counties of Nassau, Suffolk,~~  
 33 ~~Westchester, Rockland, Orange, Putnam and Erie, and in such city or~~  
 34 ~~county from]~~ six o'clock in the morning until nine o'clock in the even-  
 35 ing; the general election from six o'clock in the morning until nine  
 36 o'clock in the evening; a special election called by the governor pursu-  
 37 ant to the public officers law, and, except as otherwise provided by  
 38 law, every other election, from six o'clock in the morning until nine  
 39 o'clock in the evening; early voting hours shall be as provided in  
 40 section 8-600 of this article.

41 § 4. Subdivision 1 of section 8-102 of the election law is amended by  
 42 adding a new paragraph (k) to read as follows:

43 (k) Voting at each polling place for early voting shall be conducted  
 44 in a manner consistent with the provisions of this article, with the  
 45 exception of the tabulation and proclamation of election results which  
 46 shall be completed according to subdivisions eight and nine of section  
 47 8-600 of this article.

48 § 5. Section 8-104 of the election law is amended by adding a new  
 49 subdivision 7 to read as follows:

50 7. This section shall apply on all early voting days as provided for  
 51 in section 8-600 of this article.

52 § 6. Article 8 of the election law is amended by adding a new title 6  
 53 to read as follows:



TITLE VI  
EARLY VOTING

Section 8-600. Early voting.

8-602. State board of elections; powers and duties for early voting.

§ 8-600. Early voting. 1. Beginning the fourteenth day prior to any general, primary or special election for any public or party office, and ending on and including the second day prior to such general, primary or special election for such public or party office, persons duly registered and eligible to vote at such election shall be permitted to vote as provided in this title. The board of elections of each county and the city of New York shall establish procedures, subject to approval of the state board of elections, to ensure that persons who vote during the early voting period shall not be permitted to vote subsequently in the same election.

2. (a) The board of elections of each county or the city of New York shall designate polling places for early voting in each county, which may include the offices of the board of elections, for persons to vote early pursuant to this section. There shall be so designated at least one early voting polling place for every full increment of fifty thousand registered voters in each county; provided, however, the number of early voting polling places in a county shall not be required to be greater than seven, and a county with fewer than fifty thousand voters shall have at least one early voting polling place.

(b) The board of elections of each county or the city of New York may establish additional polling places for early voting in excess of the minimum number required by this subdivision for the convenience of eligible voters wishing to vote during the early voting period.

(c) Polling places for early voting shall be located to ensure, to the extent practicable, that eligible voters have adequate equitable access, taking into consideration population density, travel time to the polling place, proximity to other locations or commonly used transportation routes and such other factors the board of elections of the county or the city of New York deems appropriate. The provisions of section 4-104 of this chapter, except subdivisions four and five of such section, shall apply to the designation of polling places for early voting except to the extent such provisions are inconsistent with this section.

3. Any person permitted to vote early may do so at any polling place for early voting established pursuant to subdivision two of this section in the county where such voter is registered to vote. Provided, however, (a) if it is impractical to provide each polling place for early voting all appropriate ballots for each election to be voted on in the county, or (b) if permitting such persons to vote early at any polling place established for early voting would make it impractical to ensure that such voter has not previously voted early during such election, the board of elections may designate each polling place for early voting only for those voters registered to vote in a portion of the county to be served by such polling place for early voting, provided that all voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis.

4. (a) Polls shall be open for early voting for at least eight hours between six o'clock in the morning and nine o'clock in the evening each week day during the early voting period.

(b) At least one polling place for early voting shall remain open until nine o'clock in the evening on at least two week days in each

1 calendar week during the early voting period. If polling places for  
2 early voting are limited to voters from certain areas pursuant to subdivi-  
3 vision three of this section, polling places that remain open until nine  
4 o'clock shall be designated such that any person entitled to vote early  
5 may vote until nine o'clock in the evening on at least two week days  
6 during the early voting period.

7 (c) Polls shall be open for early voting for at least five hours  
8 between nine o'clock in the morning and six o'clock in the evening on  
9 each Saturday, Sunday and legal holiday during the early voting period.

10 (d) Nothing in this section shall be construed to prohibit any board  
11 of elections from establishing a greater number of hours for voting  
12 during the early voting period beyond the number of hours required in  
13 this subdivision.

14 (e) Early voting polling places and their hours of operation for early  
15 voting at a general election shall be designated by May first of each  
16 year pursuant to subdivision one of section 4-104 of this chapter.  
17 Notwithstanding the provisions of subdivision one of section 4-104 of  
18 this chapter requiring poll site designation by May first, early voting  
19 polling places and their hours of operation for early voting for a  
20 primary or special election shall be made not later than forty-five days  
21 before such primary or special election.

22 5. Each board of elections shall create a communication plan to inform  
23 eligible voters of the opportunity to vote early. Such plan may utilize  
24 any and all media outlets, including social media, and shall publicize:  
25 the location and dates and hours of operation of all polling places for  
26 early voting; an indication of whether each polling place is accessible  
27 to voters with physical disabilities; a clear and unambiguous notice to  
28 voters that if they cast a ballot during the early voting period they  
29 will not be allowed to vote election day; and if polling places for  
30 early voting are limited to voters from certain areas pursuant to subdivi-  
31 vision three of this section, the location of the polling places for  
32 early voting serving the voters of each particular city, town or other  
33 political subdivision.

34 6. The form of paper ballots used in early voting shall comply with  
35 the provisions of article seven of this chapter that are applicable to  
36 voting by paper ballot on election day and such ballot shall be cast in  
37 the same manner as provided for in section 8-312 of this article,  
38 provided, however, that ballots cast during the early voting period  
39 shall be secured in the manner of voted ballots cast on election day and  
40 such ballots shall not be canvassed or examined until after the close of  
41 the polls on election day, and no unofficial tabulations of election  
42 results shall be printed or viewed in any manner until after the close  
43 of polls on election day.

44 7. Voters casting ballots pursuant to this title shall be subject to  
45 challenge as provided in sections 8-500, 8-502, 8-503 and 8-504 of this  
46 article.

47 8. Notwithstanding any other provisions of this chapter, at the end of  
48 each day of early voting, any early voting ballots that have not been  
49 scanned because a ballot scanner was not available or because the ballot  
50 has been abandoned by the voter at the ballot scanner shall be cast in a  
51 manner consistent with section 9-110 of this chapter, except that such  
52 ballots which cannot then be cast on a ballot scanner shall be held  
53 inviolable and unexamined and shall be duly secured until after the close  
54 of polls on election day when such ballots shall be examined and  
55 canvassed in a manner consistent with subdivision two of section 9-110  
56 of this chapter.

1 9. The board of elections shall secure all ballots and scanners used  
 2 for early voting from the beginning of the early voting period through  
 3 the close of the polls on election day; provided, however, the state  
 4 board of elections may by regulation duly adopted by a majority of such  
 5 board establish a procedure whereby ballot scanners used for early  
 6 voting may also be used on election day if the portable memory devices  
 7 used during early voting containing the early voting election informa-  
 8 tion and vote tabulations are properly secured apart from the scanners,  
 9 and the results therefrom shall be duly canvassed after the close of  
 10 polls on election day.

11 10. After the close of polls on election day, inspectors or board of  
 12 elections employees appointed to canvass ballots cast during early  
 13 voting shall follow all relevant provisions of article nine of this  
 14 chapter that are not inconsistent with this section, for canvassing,  
 15 processing, recording, and announcing results of voting at polling plac-  
 16 es for early voting, and securing ballots, scanners, and other election  
 17 materials. Such canvass may occur at the offices of the board of  
 18 elections, at the early voting polling place or such other location  
 19 designated by the board of elections.

20 11. Notwithstanding the requirements of this title requiring the  
 21 canvass of ballots cast during early voting after the close of polls on  
 22 election day, such canvass may begin one hour before the scheduled close  
 23 of polls on election day provided the board of elections adopts proce-  
 24 dures to prevent the public release of election results prior to the  
 25 close of polls on election day and such procedures shall be consistent  
 26 with the regulations of the state board of elections and shall be filed  
 27 with the state board of elections at least thirty days before they shall  
 28 be effective.

29 § 8-602. State board of elections; powers and duties for early voting.  
 30 Any rule or regulation necessary for the implementation of the  
 31 provisions of this title shall be promulgated by the state board of  
 32 elections provided that such rules and regulations shall include  
 33 provisions to ensure that ballots cast early, by any method allowed  
 34 under law, are counted and canvassed as if cast on election day. The  
 35 state board of elections shall promulgate any other rules and regu-  
 36 lations necessary to ensure an efficient and fair early voting process  
 37 that respects the privacy of the voter. Provided, further, that such  
 38 rules and regulations shall require that the voting history record for  
 39 each voter be continually updated to reflect each instance of early  
 40 voting by such voter.

41 § 7. This act shall take effect on the first of January next succeed-  
 42 ing the date on which it shall have become a law and shall apply to any  
 43 election held 120 days or more after it shall have taken effect.

44 PART I

45 Section 1. Subdivision 2 of section 5-106 of the election law, as  
 46 amended by chapter 373 of the laws of 1978, is amended to read as  
 47 follows:

48 2. No person who has been convicted of a felony and sentenced to a  
 49 period of imprisonment for such felony pursuant to the laws of this  
 50 state, shall have the right to register for or vote at any election  
 51 unless he [~~shall have been pardoned or restored to the rights of citi-~~  
 52 ~~zenship by the governor, or his maximum sentence of imprisonment has~~  
 53 ~~expired, or he has been discharged from parole. The governor, however,~~  
 54 ~~may attach as a condition to any such pardon a provision that any such~~

1 ~~person shall not have the right of suffrage until it shall have been~~  
2 ~~separately restored to him~~ or she has been released from incarceration  
3 for such felony or released from serving a time assessment pursuant to  
4 subparagraph (x) of paragraph (f) of subdivision three of section two  
5 hundred fifty-nine-i of the executive law.

6 § 2. Subdivision 3 of section 5-106 of the election law is amended to  
7 read as follows:

8 3. No person who has been convicted in a federal court, of a felony,  
9 or a crime or offense which would constitute a felony under the laws of  
10 this state, and sentenced to a period of imprisonment for such felony,  
11 shall have the right to register for or vote at any election unless he  
12 [~~shall have been pardoned or restored to the rights of citizenship by~~  
13 ~~the president of the United States, or his maximum sentence of imprison-~~  
14 ~~ment has expired, or he has been discharged from parole~~] or she has been  
15 released from incarceration for such felony or released from serving a  
16 time assessment pursuant to a violation of parole supervision under  
17 federal jurisdiction.

18 § 3. Subdivision 4 of section 5-106 of the election law is amended to  
19 read as follows:

20 4. No person who has been convicted in another state for a crime or  
21 offense which would constitute a felony under the laws of this state and  
22 sentenced to a period of imprisonment for such felony, shall have the  
23 right to register for or vote at any election in this state unless he  
24 shall have been pardoned or restored to the rights of citizenship by the  
25 governor or other appropriate authority of such other state, or his or  
26 her maximum sentence has expired, or he [~~has been discharged from~~  
27 ~~parole~~] or she has been released from incarceration for such felony or  
28 released from serving a time assessment for a violation of parole super-  
29 vision under the jurisdiction of courts, paroling authorities,  
30 corrections or other criminal justice agencies.

31 § 4. Section 75 of the correction law, as amended by section 18 of  
32 subpart A of part C of chapter 62 of the laws of 2011, is amended to  
33 read as follows:

34 § 75. Notice of voting rights. Upon the [~~discharge~~] release from a  
35 correctional facility of any person [~~whose maximum sentence of imprison-~~  
36 ~~ment has expired or upon a person's discharge from community super-~~  
37 ~~vision,~~] the department shall notify such person of his or her right to  
38 vote and provide such person with a form of application for voter regis-  
39 tration together with written information distributed by the board of  
40 elections on the importance and the mechanics of voting.

41 § 5. The correction law is amended by adding a new section 510 to read  
42 as follows:

43 § 510. Voting upon release. Upon the release from a local correctional  
44 facility of any person convicted of a felony the chief administrative  
45 officer shall notify such person of his or her right to vote and provide  
46 such person with a form of application for voter registration together  
47 with written information distributed by the board of elections on the  
48 importance and the mechanics of voting.

49 § 6. The department of corrections and community supervision shall  
50 notify each person serving a period of community supervision on the  
51 effective date of this act of his or her right to vote and provide such  
52 person with a form of application for voter registration together with  
53 written information distributed by the board of elections on the impor-  
54 tance and the mechanics of voting.

1 § 7. This act shall take effect immediately, provided, however, that  
2 sections four, five, and six of this act shall take effect on the one  
3 hundred twentieth day after it shall have become a law.

4 PART J

5 Section 1. Section 3-108 of the election law, subdivision 5 as added  
6 by chapter 394 of the laws of 2008, is amended to read as follows:

7 § 3-108. Disaster; additional day for voting. 1. A county board of  
8 elections, or the state board of elections with respect to an election  
9 conducted in a district in the jurisdiction of more than one county  
10 board of elections, may determine that, as the direct consequence of a  
11 fire, earthquake, tornado, explosion, power failure, act of sabotage,  
12 enemy attack or other disaster[~~, less than twenty five per centum of the~~  
13 ~~registered voters of any city, town or village, or if the city of New~~  
14 ~~York, or any county therein, actually voted in any general election]~~ or  
15 state of emergency, the ability of voters to vote has become, or will  
16 imminently become, impossible and such impossibility cannot be mitigated  
17 during the scheduled course of voting. Such a determination by a county  
18 board of elections shall be subject to approval by the state board of  
19 elections. If the state board of elections makes such a determination,  
20 it shall notify the [~~board~~] boards of elections having jurisdiction [~~in~~  
21 ~~that county~~] over that election that an additional day of election shall  
22 be held, which notice shall show: the nature of the disaster; the coun-  
23 ty, city, town or village affected thereby; the number of persons duly  
24 registered to vote therein at such [~~general~~] election; and the number of  
25 persons who voted therein at such [~~general~~] election.

26 2. The county board of elections, or the state board of elections, as  
27 applicable, shall thereafter set a date for an additional day for voting  
28 in the county, city, town or village affected by the statement, which  
29 shall not be more than twenty days after the original date of the  
30 [~~general~~] election and shall determine the hours during which the polls  
31 shall remain open on such additional day for voting; provided, however,  
32 that in any event the polls shall remain open for not less than eleven  
33 hours. [~~The~~] Each county board of elections having jurisdiction over  
34 such election shall [~~publish notice thereof not less than twice in each~~  
35 ~~week preceding the date for the additional day for voting, in~~] notify  
36 newspapers as designated in this chapter[~~, and~~] in the week preceding  
37 the date of the additional day of voting. Such notice shall be provided  
38 to all media outlets and county, town, city and village clerks and  
39 municipal attorneys not less than one week preceding the date of the  
40 additional day of voting and shall be posted on the board's website as  
41 soon as possible. To the extent practicable, the board shall notify all  
42 registered voters by mail. Such notice shall also direct attention to  
43 any change of polling places and shall contain such other and additional  
44 information as in the judgment of the board of elections shall be neces-  
45 sary and proper.

46 3. Official ballots shall be provided at public expense at each poll-  
47 ing place for such additional day of election. In any election district  
48 in which voting machines were used upon the original day of voting, they  
49 shall be used for the additional day for voting. The [~~original seal~~]  
50 security seals on such machines shall not be removed nor shall the  
51 machines be unlocked until the opening of the polls on the additional  
52 day for voting and the board of elections shall provide [~~an~~] additional  
53 [~~seal~~] security seals to be used as soon as the polls are closed on such  
54 day.

1 4. Only those persons duly registered to vote upon the original date  
2 of the [~~general~~] election who did not vote on such date shall be enti-  
3 tled to vote on the additional day for voting. Voting on the additional  
4 day provided for in this section shall be accomplished solely by phys-  
5 ically appearing at the polling place and nothing contained in this  
6 section shall be construed to extend the time set by law for casting or  
7 canvassing a special, military, absentee, special federal or special  
8 presidential ballot; provided, however, that nothing contained herein  
9 shall be deemed to invalidate any special, military, absentee, [~~mili-~~  
10 ~~tary~~] special federal or special presidential ballot duly received on  
11 the original date of the [~~general~~] election.

12 5. (a) A county board of elections, or the state board of elections  
13 with respect to an election conducted in a political subdivision in the  
14 jurisdiction of more than one county board of elections, may determine  
15 that, as the direct consequence of a fire, earthquake, tornado, explo-  
16 sion, power failure, act of sabotage, enemy attack or other disaster or  
17 state of emergency, the ability to make a filing with respect to any  
18 provision of this chapter was substantially impaired. Upon making such a  
19 finding, a county board of elections, or the state board of elections  
20 shall extend for a reasonable time the period for making such filing. An  
21 extension granted pursuant to this subdivision [~~granted by a county~~  
22 ~~board of elections~~] shall not be [~~subject to the approval of the state~~  
23 ~~board of elections if such extension is~~] longer than [~~one~~] two business  
24 [~~day~~] days.

25 (b) A county board of elections, or the state board of elections with  
26 respect to an election conducted in a political subdivision in the  
27 jurisdiction of more than one county board of elections, may determine  
28 that, as the direct consequence of a fire, earthquake, tornado, explo-  
29 sion, power failure, act of sabotage, enemy attack or other disaster or  
30 state of emergency, the ability to convene a party caucus on the date  
31 scheduled for such caucus and make the required filings for the purpose  
32 of nominating one or more candidates was substantially impaired. Upon  
33 making such a finding, a county board of elections, or the state board  
34 of elections, shall postpone for a reasonable time the date of said  
35 party caucus and required filings. An extension granted pursuant to this  
36 subdivision shall not be longer than one week from the date of the  
37 originally-scheduled party caucus.

38 (c) If an extension is granted pursuant to this subdivision by the  
39 state board of elections, such board shall notify the respective county  
40 boards of elections of such extension and post such notice on its  
41 website.

42 (d) The county board of elections shall immediately notify media  
43 outlets of the extensions provided pursuant to this section, post such  
44 notice to its website and, to the extent practicable for the extension  
45 of a party caucus, post such notice at the location of the originally-  
46 scheduled caucus. The county board of elections shall also provide writ-  
47 ten notice to all appropriate county, town, city and village clerks and  
48 municipal attorneys.

49 § 2. This act shall take effect immediately.

50 PART K

51 Section 1. Subdivision 1 of section 1-106 of the election law, as  
52 amended by chapter 700 of the laws of 1977, is amended to read as  
53 follows:

1 1. All papers required to be filed pursuant to the provisions of this  
2 chapter shall, unless otherwise provided, be filed between the hours of  
3 nine A.M. and five P.M. If the last day for filing shall fall on a  
4 Saturday, Sunday or legal holiday, the next business day shall become  
5 the last day for filing. All papers sent by mail in an envelope post-  
6 marked prior to midnight of the last day of filing shall be deemed time-  
7 ly filed and accepted for filing when received, except that all certif-  
8 icates and petitions of designation or nomination, certificates of  
9 acceptance or declination of such designations or nominations, certif-  
10 icates of authorization for such designations or nominations, certif-  
11 icates of disqualification, certificates of substitution for such desig-  
12 nations or nominations and objections and specifications of objections  
13 to such certificates and petitions required to be filed with the state  
14 board of elections or a board of elections outside of the city of New  
15 York shall be deemed timely filed and accepted for filing if sent by  
16 mail or designated delivery service permitted by subdivision three of  
17 this section, in an envelope postmarked prior to midnight of the last  
18 day of filing and received no later than two business days after the  
19 last day to file such certificates, petitions, objections or specifica-  
20 tions. Failure of the post office or any other person or entity to  
21 deliver any such petition, certificate or objection to such board of  
22 elections outside the city of New York no later than two business days  
23 after the last day to file such certificates, petitions, objections or  
24 specifications shall be a fatal defect. Excepted further that all  
25 certificates and petitions of designation or nomination, certificates of  
26 acceptance or declination of such designations and nominations, certif-  
27 icates of substitution for such designations or nominations and  
28 objections and specifications of objections to such certificates and  
29 petitions required to be filed with the board of elections of the city  
30 of New York must be actually received by such city board of elections on  
31 or before the last day to file any such petition, certificate or  
32 objection and such office shall be open for the receipt of such  
33 petitions, certificates and objections until midnight on the last day to  
34 file any such petition, certificate or objection. Failure of the post  
35 office or any other person or entity to deliver any such petition,  
36 certificate or objection to such city board of elections on or before  
37 such last day shall be a fatal defect.

38 § 2. Subdivision 1 of section 4-104 of the election law, as amended by  
39 chapter 180 of the laws of 2005, is amended to read as follows:

40 1. Every board of elections shall, in consultation with each city,  
41 town and village, designate the polling places in each election district  
42 in which the meetings for the registration of voters, and for any  
43 election may be held. The board of trustees of each village in which  
44 general and special village elections conducted by the board of  
45 elections are held at a time other than the time of a general election  
46 shall submit such a list of polling places for such village elections to  
47 the board of elections. A polling place may be located in a building  
48 owned by a religious organization or used by it as a place of worship.  
49 If such a building is designated as a polling place, it shall not be  
50 required to be open for voter registration on any Saturday if this is  
51 contrary to the religious beliefs of the religious organization. In such  
52 a situation, the board of elections shall designate an alternate  
53 location to be used for voter registration. Such polling places must be  
54 designated by ~~May first~~ March fifteenth, of each year, and shall be  
55 effective for one year thereafter. Such a list required to be submitted  
56 by a village board of trustees must be submitted at least four months

1 before each general village election and shall be effective until four  
2 months before the subsequent general village election. No place in which  
3 a business licensed to sell alcoholic beverages for on premises consump-  
4 tion is conducted on any day of local registration or of voting shall be  
5 so designated. If, within the discretion of the board of elections a  
6 particular polling place so designated is subsequently found to be  
7 unsuitable or unsafe or should circumstances arise that make a desig-  
8 nated polling place unsuitable or unsafe, then the board of elections is  
9 empowered to select an alternative meeting place. In the city of New  
10 York, the board of elections shall designate such polling places and  
11 alternate registration places if the polling place cannot be used for  
12 voter registration on Saturdays.

13 § 3. Subdivisions 1 and 2 of section 4-106 of the election law, subdi-  
14 vision 2 as amended by chapter 635 of the laws of 1990, are amended to  
15 read as follows:

16 1. The state board of elections shall, [~~at least eight months before~~  
17 ~~each~~] by February first in the year of each general election, make and  
18 transmit to the board of elections of each county, a certificate stating  
19 each office, except county, city, village and town offices to be voted  
20 for at such election in such county.

21 2. Each county, city, village and town clerk, [~~at least eight months~~  
22 ~~before each~~] by February first in the year of each general election,  
23 shall make and transmit to the board of elections a certificate stating  
24 each county, city, village or town office, respectively to be voted for  
25 at each such election. Each village clerk, at least five months before  
26 each general village election conducted by the board of elections, shall  
27 make, and transmit to such board, a certificate stating each village  
28 office to be filled at such election.

29 § 4. Paragraph b of subdivision 1 of section 4-108 of the election  
30 law, as amended by chapter 117 of the laws of 1985, is amended to read  
31 as follows:

32 b. Whenever any proposal, proposition or referendum as provided by law  
33 is to be submitted to a vote of the people of a county, city, town,  
34 village or special district, at an election conducted by the board of  
35 elections, the clerk of such political subdivision, at least [~~thirty-six~~  
36 ~~days~~] three months prior to the general election at which such proposal,  
37 proposition or referendum is to be submitted, shall transmit to each  
38 board of elections a certified copy of the text of such proposal, propo-  
39 sition or referendum and a statement of the form in which it is to be  
40 submitted. If a special election is to be held, such transmittal shall  
41 also give the date of such election.

42 § 5. Section 4-110 of the election law, as amended by chapter 434 of  
43 the laws of 1984, is amended to read as follows:

44 § 4-110. Certification of primary election candidates; state board of  
45 elections. The state board of elections not later than [~~thirty-six~~  
46 fifty-five] days before a primary election, shall certify to each county  
47 board of elections: The name and residence of each candidate to be voted  
48 for within the political subdivision of such board for whom a desig-  
49 nation has been filed with the state board; the title of the office or  
50 position for which the candidate is designated; the name of the party  
51 upon whose primary ballot his or her name is to be placed; and the order  
52 in which the names of the candidates are to be printed as determined by  
53 the state board. Where an office or position is uncontested, such  
54 certification shall state such fact.

55 § 6. Subdivision 1 of section 4-112 of the election law, as amended by  
56 chapter 4 of the laws of 2011, is amended to read as follows:



1 1. The state board of elections, not later than [~~thirty-six~~] fifty-  
2 five days before a general election, or fifty-three days before a  
3 special election, shall certify to each county board of elections the  
4 name and residence of each candidate nominated in any valid certificate  
5 filed with it or by the returns canvassed by it, the title of the office  
6 for which nominated; the name of the party or body specified of which he  
7 or she is a candidate; the emblem chosen to distinguish the candidates  
8 of the party or body; and a notation as to whether or not any litigation  
9 is pending concerning the candidacy. Upon the completion of any such  
10 litigation, the state board of elections shall forthwith notify the  
11 appropriate county boards of elections of the results of such liti-  
12 gation.

13 § 7. Section 4-114 of the election law, as amended by chapter 4 of  
14 the laws of 2011, is amended to read as follows:

15 § 4-114. Determination of candidates and questions; county board of  
16 elections. The county board of elections, not later than the [~~thirty-~~  
17 ~~fifth~~] fifty-fourth day before the day of a primary or general election,  
18 or the fifty-third day before a special election, shall determine the  
19 candidates duly nominated for public office and the questions that shall  
20 appear on the ballot within the jurisdiction of that board of elections.

21 § 8. Subdivision 1 of section 5-604 of the election law, as amended by  
22 chapter 28 of the laws of 2010, is amended to read as follows:

23 1. The board of elections shall also cause to be published for each  
24 election district a complete list of the registered voters of each  
25 election district. Such list shall, in addition to the information  
26 required for registration lists, include the party enrollment of each  
27 voter. At least as many copies of such list shall be prepared as the  
28 required minimum number of registration lists.

29 Lists for all the election districts in a ward or assembly district  
30 may be bound together in one volume. The board of elections shall also  
31 cause to be published a complete list of names and residence addresses  
32 of the registered voters, including the party enrollment of each voter,  
33 for each town and city over which the board has jurisdiction. The names  
34 for each town and city may be arranged according to street and number or  
35 alphabetically. Such lists shall be published before the first day of  
36 [~~April~~] February. The board shall keep at least five copies for public  
37 inspection at each main office or branch office of the board. Surplus  
38 copies of the lists shall be sold at a charge not exceeding the cost of  
39 publication.

40 § 9. Paragraph a of subdivision 5 of section 5-708 of the election  
41 law, as added by chapter 659 of the laws of 1994, is amended to read as  
42 follows:

43 a. At least once each year during the month of [~~May~~] February, each  
44 board of elections shall obtain through the National Change of Address  
45 System, the forwarding address for every voter registered with such  
46 board of elections for whom the United States Postal Service has such a  
47 forwarding address together with the name of each such voter whom the  
48 Postal Service records indicate has moved from the address at which he  
49 is registered without leaving a forwarding address.

50 § 10. Subdivision 1 of section 6-108 of the election law, as amended  
51 by chapter 160 of the laws of 1996, is amended to read as follows:

52 1. In any town in a county having a population of over seven hundred  
53 fifty thousand inhabitants, as shown by the latest federal decennial or  
54 special population census, party nominations of candidates for town  
55 offices shall be made at the primary preceding the election. In any  
56 other town, nominations of candidates for town offices shall be made by

1 caucus or primary election as the rules of the county committee shall  
2 provide, except that the members of the county committee from a town may  
3 adopt by a two-thirds vote, a rule providing that the party candidates  
4 for town offices shall be nominated at the primary election. If a rule  
5 adopted by the county committee of a political party or by the members  
6 of the county committee from a town, provides that party candidates for  
7 town offices, shall be nominated at a primary election, such rule shall  
8 not apply to nor affect a primary held less than four months after a  
9 certified copy of the rule shall have been filed with the board of  
10 elections. After the filing of such a rule, the rule shall continue in  
11 force until a certified copy of a rule revoking the same shall have been  
12 filed with such board at least four months before a subsequent primary.  
13 Such a caucus shall be held no earlier than the first day on which  
14 designating petitions for the [~~fall~~] primary election may be signed.

15 § 11. Subdivisions 1 and 2 of section 6-147 of the election law, as  
16 amended by chapter 434 of the laws of 1984, are amended to read as  
17 follows:

18 1. The name of a person designated on more than one petition as a  
19 candidate for a party position to be filled by two or more persons shall  
20 be printed on the ballot with the group of candidates designated by the  
21 petition first filed unless such person, in a certificate duly acknowl-  
22 edged by him or her and filed with the board of elections not later than  
23 the [~~eighth~~] tenth Tuesday preceding the primary election or five days  
24 after the board of elections mails such person notice of his or her  
25 designation in more than one group, whichever is later, specifies anoth-  
26 er group in which his or her name shall be printed.

27 2. A person designated as a candidate for the position of member of  
28 the county committee in more than one election district shall be deemed  
29 to have been designated in the lowest numbered election district unless  
30 such person, in a certificate duly acknowledged by him or her, and filed  
31 with the board of elections not later than the [~~eighth~~] tenth Tuesday  
32 preceding the primary election or five days after the board of elections  
33 mails such person notice of his or her designation in more than one  
34 election district whichever is later, specifies that he or she wishes to  
35 be deemed designated in a different election district.

36 § 12. Subdivisions 1, 4, 5, 9, 11, 12 and 14 of section 6-158 of the  
37 election law, subdivisions 1, 4, 11 and 12 as amended by chapter 434 of  
38 the laws of 1984 and subdivision 9 as amended by chapter 517 of the laws  
39 of 1986, are amended to read as follows:

40 1. A designating petition shall be filed not earlier than the [~~tenth~~]  
41 thirteenth Monday before, and not later than the [~~ninth~~] twelfth Thurs-  
42 day preceding the primary election.

43 4. A petition of enrolled members of a party requesting an opportunity  
44 to write in the name of an undesignated candidate for a public office or  
45 party position at a primary election shall be filed not later than the  
46 [~~eighth~~] eleventh Thursday preceding the primary election. However,  
47 where a designating petition has been filed and the person named therein  
48 has declined such designation and another person has been designated to  
49 fill the vacancy, then in that event, a petition for an opportunity to  
50 ballot in a primary election shall be filed not later than the [~~seventh~~]  
51 tenth Thursday preceding such primary election.

52 5. A judicial district convention shall be held not earlier than [~~the~~  
53 ~~Tuesday following the third Monday in September preceding the general~~  
54 ~~election and not later than the fourth Monday in September preceding~~  
55 ~~such election~~] ten days following the deadline pursuant to section twen-  
56 ty-one of article VI of the state constitution for the vacancy in the

1 office of the supreme court to occur and still be filled at the next  
2 general election and not later than six days after such earliest date to  
3 hold such convention.

4 9. A petition for an independent nomination for an office to be filled  
5 at the time of a general election shall be filed not earlier than  
6 [~~twelve~~] twenty-three weeks and not later than [~~eleven~~] twenty-two weeks  
7 preceding such election. A petition for an independent nomination for an  
8 office to be filled at a special election shall be filed not later than  
9 twelve days following the issuance of a proclamation of such election.  
10 [~~A petition for trustee of the Long Island Power Authority shall be~~  
11 ~~filed not earlier than seven weeks and not later than six weeks preced-~~  
12 ~~ing the day of the election of such trustees.~~]

13 11. A certificate of acceptance or declination of an independent nomi-  
14 nation for an office to be filled at the time of a general election  
15 shall be filed not later than the third day after the [~~eleventh~~] twen-  
16 ty-second Tuesday preceding such election except that a candidate who  
17 files such a certificate of acceptance for an office for which there  
18 have been filed certificates or petitions designating more than one  
19 candidate for the nomination of any party, may thereafter file a certif-  
20 icate of declination not later than the third day after the primary  
21 election. A certificate of acceptance or declination of an independent  
22 nomination for an office to be filled at a special election shall be  
23 filed not later than fourteen days following the issuance of a proclama-  
24 tion of such election.

25 12. A certificate to fill a vacancy caused by a declination of an  
26 independent nomination for an office to be filled at the time of a  
27 general election shall be filed not later than the sixth day after the  
28 [~~eleventh~~] twenty-second Tuesday preceding such election. A certificate  
29 to fill a vacancy caused by a declination of an independent nomination  
30 for an office to be filled at a special election shall be filed not  
31 later than sixteen days following the issuance of a proclamation of such  
32 election.

33 14. A vacancy occurring three months before [~~September twentieth of~~]  
34 the general election in any year in any office authorized to be filled  
35 at a general election, except in the offices of governor, lieutenant-  
36 governor, or United States senator shall be filled at the general  
37 election held next thereafter, unless otherwise provided by the consti-  
38 tution, or unless previously filled at a special election.

39 § 13. Subdivision 6 of section 6-158 of the election law, as amended  
40 by chapter 79 of the laws of 1992, is amended to read as follows:

41 6. (a) A certificate of a party nomination made other than at the  
42 primary election for an office to be filled at the time of a general  
43 election shall be filed not later than [~~seven~~] thirty days after the  
44 fall primary election, (b) except that a certificate of nomination for  
45 an office which becomes vacant after the seventh day preceding such  
46 primary election shall be filed not later than [~~fourteen~~] thirty days  
47 after the primary election or ten days after the creation of such vacan-  
48 cy, whichever is later, and (c) except, further, that a certificate of  
49 party nomination of candidates for elector of president and vice-presi-  
50 dent of the United States shall be filed not later than [~~fourteen~~] sixty  
51 days [~~after the fall primary~~] before the general election, and (d)  
52 except still further that a certificate of party nomination made at a  
53 judicial district convention shall be filed not later than the day after  
54 the last day to hold such convention and the minutes of such convention,  
55 duly certified by the chairman and secretary, shall be filed within  
56 seventy-two hours after adjournment of the convention. A certificate of

1 party nomination for an office to be filled at a special election shall  
2 be filed not later than ten days following the issuance of a proclama-  
3 tion of such election.

4 § 14. Paragraph (a) of subdivision 1 of section 8-100 of the election  
5 law, as amended by chapter 17 of the laws of 2007, is amended to read as  
6 follows:

7 (a) A primary election~~[, to be known as the fall primary,]~~ shall be  
8 held on the [~~first~~] fourth Tuesday [~~after the second Monday~~] in [~~Septem-~~  
9 ~~ber~~] June before every general election unless otherwise changed by an  
10 act of the legislature. Members of the state and county committees and  
11 assembly district leaders and associate district leaders and all other  
12 party positions to be elected shall be elected at such primary and all  
13 nominations for public office required to be made at a primary election  
14 in such year shall be made at such primary. In each year in which elec-  
15 tors of president and vice president of the United States are to be  
16 elected an additional primary election, to be known as the spring prima-  
17 ry, shall be held on the first Tuesday in February unless otherwise  
18 changed by an act of the legislature, for the purpose of electing deleg-  
19 ates to the national convention~~[, members of state and county committees~~  
20 ~~and assembly district leaders and associate assembly district leaders]~~.

21 § 15. Paragraph (a) of subdivision 1 of section 10-108 of the  
22 election law, as amended by chapter 4 of the laws of 2011, is amended to  
23 read as follows:

24 (a) Ballots for military voters shall be mailed or otherwise distrib-  
25 uted by the board of elections, in accordance with the preferred method  
26 of transmission designated by the voter pursuant to section 10-107 of  
27 this article, as soon as practicable but in any event not later than  
28 [~~thirty-two~~] forty-six days before a primary or general election~~[, twen-~~  
29 ~~ty-five days before]~~, a New York city community school board district or  
30 city of Buffalo school district election; fourteen days before a village  
31 election conducted by the board of elections; and forty-five days before  
32 a special election. A voter who submits a military ballot application  
33 shall be entitled to a military ballot thereafter for each subsequent  
34 election through and including the next two regularly scheduled general  
35 elections held in even numbered years, including any run-offs which may  
36 occur; provided, however, such application shall not be valid for any  
37 election held within seven days after its receipt. Ballots shall also  
38 be mailed to any qualified military voter who is already registered and  
39 who requests such military ballot from such board of elections in a  
40 letter, which is signed by the voter and received by the board of  
41 elections not later than the seventh day before the election for which  
42 the ballot is requested and which states the address where the voter is  
43 registered and the address to which the ballot is to be mailed. The  
44 board of elections shall enclose with such ballot a form of application  
45 for military ballot. In the case of a primary election, the board shall  
46 deliver only the ballot of the party with which the military voter is  
47 enrolled according to the military voter's registration records. In the  
48 event a primary election is uncontested in the military voter's election  
49 district for all offices or positions except the party position of  
50 member of the ward, town, city or county committee, no ballot shall be  
51 delivered to such military voter for such election; and the military  
52 voter shall be advised of the reason why he or she will not receive a  
53 ballot.

54 § 16. Subdivision 4 of section 11-204 of the election law, as amended  
55 by chapter 4 of the laws of 2011, is amended to read as follows:

1 4. If the board of elections shall determine that the applicant making  
2 the application provided for in this section is qualified to receive and  
3 vote a special federal ballot, it shall, as soon as practicable after it  
4 shall have so determined, or not later than [~~thirty-two~~ forty-six days  
5 before each general or primary election [~~and forty-five days before~~  
6 ~~each~~] or special election in which such applicant is qualified to vote,  
7 or three days after receipt of such an application, whichever is later,  
8 mail to him or her at the residence address outside the United States  
9 shown in his or her application, a special federal ballot, an inner  
10 affirmation envelope and an outer envelope, or otherwise distribute same  
11 to the voter in accordance with the preferred method of transmission  
12 designated by the voter pursuant to section 11-203 of this title. The  
13 board of elections shall also mail, or otherwise distribute in accord-  
14 ance with the preferred method of transmission designated by the voter  
15 pursuant to section 11-203 of this title, a special federal ballot to  
16 every qualified special federal voter who is already registered and who  
17 requests such special federal ballot from such board of elections in a  
18 letter, which is signed by the voter and received by the board of  
19 elections not later than the seventh day before the election for which  
20 the ballot is first requested and which states the address where the  
21 voter is registered and the address to which the ballot is to be mailed.  
22 The board of elections shall enclose with such ballot a form of applica-  
23 tion for a special federal ballot.

24 § 17. Subdivisions 1 and 4 of section 42 of the public officers law,  
25 subdivision 1 as amended by chapter 878 of the laws of 1946 and subdivi-  
26 sion 4 as amended by chapter 317 of the laws of 1954, are amended to  
27 read as follows:

28 1. A vacancy occurring three months before [~~September twentieth of~~  
29 the general election in any year in any office authorized to be filled  
30 at a general election, except in the offices of governor or lieutenant-  
31 governor, shall be filled at the general election held next thereafter,  
32 unless otherwise provided by the constitution, or unless previously  
33 filled at a special election.

34 4. A special election shall not be held to fill a vacancy in the  
35 office of a representative in congress unless such vacancy occurs on or  
36 before the first day of July of the last year of the term of office, or  
37 unless it occurs thereafter and a special session of congress is called  
38 to meet before the next general election, or be called after [~~September~~  
39 ~~nineteenth of~~] three months before the general election in such year;  
40 nor to fill a vacancy in the office of state senator or in the office of  
41 member of assembly, unless the vacancy occurs before the first day of  
42 April of the last year of the term of office, or unless the vacancy  
43 occurs in either such office of senator or member of assembly after such  
44 first day of April and a special session of the legislature be called to  
45 meet between such first day of April and the next general election or be  
46 called after three months before the next general election [~~or be called~~  
47 ~~after September nineteenth~~] in such year. If a special election to fill  
48 an office shall not be held as required by law, the office shall be  
49 filled at the next general election.

50 § 18. This act shall take effect immediately.

51

#### PART L

52 Section 1. The election law is amended by adding a new section 3-112  
53 to read as follows:

1 § 3-112. State reimbursement for additional expenses relating to early  
2 voting, enhanced language access and expanded primary hours. 1. The  
3 state shall reimburse counties and the city of New York for additional  
4 costs directly associated with the implementation and administration of:

5 (a) early voting pursuant to title six of article eight of this chap-  
6 ter; and

7 (b) enhanced language access for certain limited English proficient  
8 and non-English speaking residents of such counties or city pursuant to  
9 section 3-507 of this chapter.

10 2. The state also shall reimburse affected counties for additional  
11 costs directly associated with the implementation and administration of  
12 that portion of section three of part H of a chapter of the laws of two  
13 thousand seventeen entitled the "New York votes act" that amended subdivi-  
14 vision two of section 8-100 of this chapter to expand hours for primary  
15 elections held in such counties.

16 3. Reimbursement of expenses by the state pursuant to subdivisions one  
17 and two of this section shall be made only upon written application of  
18 such counties or the city of New York filed with the state board of  
19 elections. Such application shall, at a minimum, include a detailed  
20 description and itemization of the additional costs and expenses for  
21 which reimbursement is sought and such other information as the state  
22 board of elections may require. To the extent applicable, such reimburs-  
23 able costs may include additional clerical costs, maintenance and opera-  
24 tion costs, as well as salaries of local board of elections personnel,  
25 poll inspectors, ballot and sample ballot production and such other  
26 additional costs that may accrue in fulfilling the statutory require-  
27 ments referenced in subdivisions one and two of this section.

28 4. The state board of elections shall approve such reimbursement  
29 provided it conforms to standards relating to the administration of  
30 elections.

31 5. State aid shall be granted to the city of New York and the respec-  
32 tive counties outside the city of New York pursuant to this section only  
33 to the extent of reimbursing one hundred per centum of the additional  
34 expenditures incurred by the county or city in complying with the statu-  
35 tory requirements referenced in subdivisions one and two of this  
36 section.

37 6. The state board of elections shall promulgate rules and regulations  
38 in furtherance of these provisions in accordance with section 3-102 of  
39 this title.

40 § 2. This act shall take effect immediately.

41 § 3. Severability clause. If any clause, sentence, paragraph, subdivi-  
42 sion, section or part of this act shall be adjudged by any court of  
43 competent jurisdiction to be invalid, such judgement shall not affect,  
44 impair, or invalidate the remainder thereof, but shall be confined in  
45 its operation to the clause, sentence, paragraph, subdivision, section  
46 or part thereof directly involved in the controversy in which such  
47 judgement shall have been rendered. It is hereby declared to be the  
48 intent of the legislature that this act would have been enacted even if  
49 such invalid provisions had not been included herein.

50 § 4. This act shall take effect immediately provided, however, that  
51 the applicable effective date of Parts A through L of this act shall be  
52 as specifically set forth in the last section of such Parts.