

# STATE OF NEW YORK

8320

## IN SENATE

May 1, 2018

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to absentee voting

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

1 Section 1. Paragraphs (c) and (d) of subdivision 2 of section 8-400  
2 of the election law, paragraph (c) as amended by chapter 321 of the laws  
3 of 1988 and paragraph (d) as separately amended by chapters 97 and 104  
4 of the laws of 2010, are amended to read as follows:

5 (c) All applications must be [~~mailed to~~ received by] the board of  
6 elections [~~not~~ no] later than the [~~seventh~~] day before the election for  
7 which a ballot is first requested [~~or delivered to such board not later~~  
8 ~~than the day before such election~~].

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

29 § 2. This act shall take effect immediately.

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

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