STATE OF NEW YORK

S. 2976 A. 2346

2017-2018 Regular Sessions

SENATE - ASSEMBLY

January 18, 2017

IN SENATE -- Introduced by Sens. LAVALLE, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

IN ASSEMBLY -- Introduced by M. of A. THIELE, LAVINE, SKOUFIS, COLTON, RAIA -- Multi-Sponsored by -- M. of A. HEVESI, HOOPER -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to military ballots and elections for school boards of education and school budgets

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

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

(a) Ballots for military voters shall be mailed or otherwise distributed by the board of elections, in accordance with the preferred method of transmission designated by the voter pursuant to section 10-107 of this article, as soon as practicable but in any event not later than thirty-two days before a primary or general election; twenty-five days before a New York city community school board district or city of Buffalo school district election **or any common, union free, central or central high school district election for which absentee ballots are required to be provided pursuant to sections two thousand eighteen-a, two thousand eighteen-b, or twenty-six hundred thirteen of the education law**; fourteen days before a village election conducted by the board of elections; and forty-five days before a special election. A voter who submits a military ballot application shall be entitled to a military ballot thereafter for each subsequent election through and including the next two regularly scheduled general elections held in even numbered years, including any run-offs which may occur; provided, however, such application shall not be valid for any election held within seven days

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

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after its receipt. Ballots shall also be mailed to any qualified military voter who is already registered and who requests such military ballot from such board of elections in a letter, which is signed by the voter and received by the board of elections not later than the seventh day before the election for which the ballot is requested and which states the address where the voter is registered and the address to which the ballot is to be mailed. The board of elections shall enclose with such ballot a form of application for military ballot. In the case of a primary election, the board shall deliver only the ballot of the party with which the military voter is enrolled according to the military voter's registration records. In the event a primary election is uncontested in the military voter's election district for all offices or positions except the party position of member of the ward, town, city or county committee, no ballot shall be delivered to such military voter for such election; and the military voter shall be advised of the reason why he or she will not receive a ballot.

§ 2. This act shall take effect immediately.