STATE OF NEW YORK

5215

2017-2018 Regular Sessions

IN ASSEMBLY

February 7, 2017

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

AN ACT to amend the election law, in relation to allowing photographs of one's self and one's own ballot while voting

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

Section 1. Section 8-300 of the election law is amended by adding a new subdivision 4 to read as follows:

4. Voters shall be permitted on their own volition, to photograph and post on social media their own ballot and themselves at any stage of voting, including while in a privacy booth or at a ballot scanner, provided that such photographs do not contain any other voter or reveal the contents of any other voter's ballot.

§ 2. Subdivisions 10 and 11 of section 17-130 of the election law are amended to read as follows:

10. [~~Shows his~~] **Solicits a voter to show their** ballot after it is prepared for voting, to any person so as to reveal the contents[~~, or solicits a voter to show the same~~]; or,

11. Places any mark upon his ballot, or does any other act in connection with his ballot with the intent that it may be identified as the one voted by him**, other than what is allowed pursuant to subdivision four of section 8-300 of this chapter**; or,

§ 3. Subdivision 23 of section 17-130 of the election law, as renumbered by chapter 373 of the laws of 1978, is amended and a new subdivision 24 is added to read as follows:

23. Not having been appointed or named an inspector of elections or clerk and not having taken the oath for such office shall wear or display any button, badge or emblem identifying or purporting to identify such person as an inspector of election or clerk[~~, is guilty of a misdemeanor.~~]**; or,**

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

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24. Forces an individual to photograph and/or post on social media their own ballot or themselves at any stage of voting, is guilty of a misdemeanor.

§ 4. This act shall take effect immediately.