

# STATE OF NEW YORK

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R. R. 1

## IN ASSEMBLY

January 8, 2018

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Introduced by M. of A. CARROLL, D'URSO, D. ROSENTHAL, BUCHWALD, PHEFFER AMATO, ROZIC -- read once and referred to the Committee on Election Law -- reported and referred to the Committee on Rules -- amended on the special order of third reading, ordered reprinted as amended, retaining its place on the special order of third reading

AN ACT to amend the election law, in relation to communications to voters by mail; to require the 2018 fall primary be held on Thursday, September 13, 2018 and the political calendar be adjusted accordingly; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Notwithstanding the provisions of paragraph (a) of subdivision 1 of section 8-100 of the election law, the 2018 fall primary shall  
2 be held on Thursday, September 13, 2018, and the political calendar  
3 shall be adjusted accordingly.

4 § 2. 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, shall send by mail on which is endorsed such language designated by the state board of elections to ensure postal authorities do  
8 not forward such mail but return it to the board of elections with  
9 forwarding information, when it cannot be delivered as addressed and  
10 which contains a request that any such mail received for persons not  
11 residing at the address be dropped back in the mail, a communication, in  
12 a form approved by the state board of elections, to every registered  
13 voter who has been registered without a change of address since the  
14 beginning of such year, except that the board of elections shall not be  
15 required to send such communications to voters in inactive status. The  
16 communication shall notify the voter of the days and hours of the ensuing  
17 primary and general elections, the place where he appears by his  
18 registration records to be entitled to vote, the fact that voters who  
19 have moved or will have moved from the address where they were last  
20 registered must re-register or, that if such move was to another address  
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 in the same county or city, that such voter may either notify the board  
2 of elections of his new address or vote by paper ballot at the polling  
3 place for his new address even if such voter has not re-registered, or  
4 otherwise notified the board of elections of the change of address. If  
5 the primary will not be held on the first Tuesday after the second  
6 Monday in September, the communication shall contain a conspicuous  
7 notice in all capital letters and bold font notifying the voter of the  
8 primary date. If the location of the polling place for the voter's  
9 election district has been moved, the communication shall contain the  
10 following legend in bold type: "YOUR POLLING PLACE HAS BEEN CHANGED. YOU  
11 NOW VOTE AT.....". The communication shall also indicate whether  
12 the polling place is accessible to physically disabled voters, that a  
13 voter who will be out of the city or county on the day of the primary or  
14 general election or a voter who is ill or physically disabled may obtain  
15 an absentee ballot, that a physically disabled voter whose polling place  
16 is not accessible may request that his registration record be moved to  
17 an election district which has a polling place which is accessible, the  
18 phone number to call for applications to move a registration record or  
19 for absentee ballot applications, the phone number to call for the  
20 location of registration and polling places, the phone number to call to  
21 indicate that the voter is willing to serve on election day as an  
22 election inspector, poll clerk, interpreter or in other capacities, the  
23 phone number to call to obtain an application for registration by mail,  
24 and such other information concerning the elections or registration as  
25 the board may include. In lieu of sending such communication to every  
26 registered voter, the board of elections may send a single communication  
27 to a household containing more than one registered voter, provided that  
28 the names of all such voters appear as part of the address on such  
29 communication.

30 § 3. This act shall take effect immediately; provided, however, that  
31 section one of this act shall expire on December 31, 2018 when upon such  
32 date the provisions of such section shall be deemed repealed.