STATE OF NEW YORK

5741

2017-2018 Regular Sessions

IN SENATE

April 27, 2017

Introduced by Sen. SAVINO -- 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 mailing special ballots for victims of domestic violence

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

Section 1. Subdivision 1 of section 11-306 of the election law, as amended by chapter 163 of the laws of 2010, is amended to read as follows:

1. A voter may deliver to the board of elections, **in person or by mail,** at any time during the period in which absentee ballot applications may be delivered, a signed written statement swearing or affirming:

(a) that he or she is the victim of domestic violence;

(b) that he or she has left his or her residence because of such violence; and

(c) that because of the threat of physical or emotional harm to himself or herself or to family or household members, he or she wishes to cast a special ballot in the next election. The statement must include the voter's address of registration. **The board of elections shall mail a special ballot to every qualified voter eligible for such a ballot who requests to cast such ballot by mail, whose statement is received by the board of elections not earlier than the thirtieth day nor later than the seventh day before the election for which the ballot is requested and which states the address to which the ballot is to be mailed.** The board of elections shall permit such a voter to cast a special ballot at an office of such board of elections [~~not earlier than one week before the election and~~] not later than the close of the polls on election day**, or by mail within the same time and in the same manner in which absentee ballots may be cast**. Such ballots shall be retained at the board of elections and cast and canvassed pursuant to the provisions of section 9-209 of this chapter.

§ 2. This act shall take effect immediately.

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

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