

STATE OF NEW YORK

2070--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. CUSICK, BUCHWALD, BLAKE, GALEF, ABINANTI, VANEL, ORTIZ, LUPARDO, SIMON, PAULIN, D'URSO -- read once and referred to the Committee on Election Law -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to authorizing computer generated registration lists; in relation to the list of supplies to be delivered to poll sites

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

Section 1. Section 1-104 of the election law is amended by adding a new subdivision 38 to read as follows:

38. "Computer generated registration list" means a printed or electronic list of voters in alphabetical order for a single election district or poll site, generated from a computer registration file for each election and containing for each voter listed, a facsimile of the signature of the voter. Such a list may be in a single volume or in more than one volume. The list may be utilized in place of registration poll records, to establish a person's eligibility to vote in the polling place on election day.

(a) The state board of elections shall promulgate minimum security standards for any electronic device, and any network or system to which the electronic device is connected, that is used to store or otherwise access a computer generated registration list, and shall also promulgate a list of devices that are approved for use. No local board of elections shall be permitted to use such a device unless the state board of elections has previously approved the device for use and has certified that the network or system to which the electronic device is connected is compliant with the minimum security standards.

(b) The minimum security standards for such devices shall be commensurate with the level of security risk applicable to such devices and

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

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1 shall specifically take into account any security risk associated with
2 voting equipment-related supply chains in addition to any other applica-
3 ble security risk.

4 (c) The state board of elections shall promulgate minimum redundancy
5 procedures to ensure a list of registration records is available that
6 provides necessary information in a compressed format to ensure voting
7 continues if the electronic computer generated registration system
8 becomes unavailable for any poll site or election district that utilizes
9 such an electronic computer generated registration list.

10 § 2. Subdivision 1 of section 4-128 of the election law, as amended by
11 chapter 125 of the laws of 2011, is amended to read as follows:

12 1. The board of elections of each county shall provide the requisite
13 number of official and facsimile ballots, two cards of instruction to
14 voters in the form prescribed by the state board of elections, at least
15 one copy of the instruction booklet for inspectors, a sufficient number
16 of maps, street finders or other descriptions of all of the polling
17 places and election districts within the political subdivision in which
18 the polling place is located to enable the election inspectors and poll
19 clerks to determine the correct election district and polling place for
20 each street address within the political subdivision in which the poll-
21 ing place is located, distance markers, tally sheets and return blanks,
22 pens, [~~black ink, or ball point pens with black ink,~~] pencils [~~having~~
23 ~~black lead~~], or other appropriate marking devices, envelopes for the
24 ballots of voters whose registration poll records are not in the ledger
25 or whose names are not [~~on~~] in the computer generated registration list,
26 envelopes for returns, identification buttons, badges or emblems for the
27 inspectors and clerks in the form prescribed by the state board of
28 elections and such other articles of stationery as may be necessary for
29 the proper conduct of elections, except that when a town, city or
30 village holds an election not conducted by the board of elections, the
31 clerk of such town, city or village, shall provide such official and
32 facsimile ballots and the necessary blanks, supplies and stationery for
33 such election.

34 § 3. Subdivision c of section 4-132 of the election law, as amended by
35 chapter 164 of the laws of 1985, is amended to read as follows:

36 c. A booth or device in each election district for the use of voters
37 marking ballots. Such booth or device shall be so constructed as to
38 permit the voter to mark his or her ballot in secrecy and shall be
39 furnished at all times with [~~a pencil having black lead only~~] an appro-
40 priate marking device.

41 § 4. Section 4-134 of the election law, the section heading as amended
42 by chapter 373 of the laws of 1978, subdivisions 1 and 3 as amended by
43 chapter 163 of the laws of 2010, subdivision 2 as amended by chapter 425
44 of the laws of 1986, and subdivisions 5 and 6 as amended by chapter 635
45 of the laws of 1990, is amended to read as follows:

46 § 4-134. Preparation and delivery of ballots, supplies and equipment
47 for use at elections. 1. The board of elections shall deliver, at its
48 office, to the clerk of each town or city in the county, except the
49 cities of New York, Buffalo and Rochester and to the clerk of each
50 village in the county in which elections are conducted by the board of
51 elections, by the Saturday before the primary, general, village or other
52 election for which they are required: the official and sample ballots;
53 ledgers prepared for delivery in the manner provided in subdivision two
54 of this section and containing the registration poll records of all
55 persons entitled to vote at such election in such town, city or village,
56 or computer generated registration lists containing the names of all

1 persons entitled to vote at such election in such town, city or village;
2 challenge reports prepared as directed by this chapter; sufficient
3 applications for registration by mail; sufficient ledger seals and other
4 supplies and equipment required by this article to be provided by the
5 board of elections for each polling place in such town, city or village.
6 The town, city or village clerk shall call at the office of such board
7 of elections at such time and receive such ballots, supplies and equip-
8 ment. In the cities of New York, Buffalo and Rochester the board of
9 elections shall cause such ballots, supplies and equipment to be deliv-
10 ered to the board of inspectors of each election district approximately
11 one-half hour before the opening of the polls for voting, and shall take
12 receipts therefor.

13 2. The board of elections shall provide for each election district a
14 ledger or ledgers containing the registration poll records or [~~printed~~]
15 lists with computer generated facsimile signatures, of all persons enti-
16 tled to vote in such election district at such election. Such ledgers
17 shall be labelled, sealed, locked and transported in locked carrying
18 cases. After leaving the board of elections no such carrying case shall
19 be unlocked except at the time and in the manner provided in this chap-
20 ter.

21 3. [~~Any envelope containing absentee voters' ballots on which the~~
22 ~~blanks have not been properly filled in shall be stamped to indicate the~~
23 ~~defect and shall be preserved by the board for at least one year after~~
24 ~~the receipt thereof.~~

25 4.] Each kind of official ballot shall be arranged in a package in the
26 consecutive order of the numbers printed on the stubs thereof beginning
27 with number one. All official and sample ballots for each election
28 district shall be in separate sealed packages, clearly marked on the
29 outside thereof, with the number and kind of ballots contained therein
30 and indorsed with the designation of the election district for which
31 they were prepared. The other supplies provided for each election
32 district also shall be [~~inclosed~~] enclosed in a sealed package, or pack-
33 ages, with a label on the outside thereof showing the contents of each
34 package.

35 [~~5. Each town, city and village clerk receiving such packages shall~~
36 ~~cause all~~] 4. All such packages so received and marked for any election
37 district [~~to~~] shall be delivered unopened and with the seals thereof
38 unbroken to the inspectors of election of such election districts at
39 least [~~one-half~~] one hour before the opening of the polls of such
40 election therein, [~~and~~] who shall [~~take~~] give a receipt therefor speci-
41 fying the number and kind of packages delivered. [~~At the same time each~~
42 ~~such clerk shall cause to be delivered to such inspectors the equipment~~
43 ~~described in subdivision two of this section and shall cause a receipt~~
44 ~~to be taken therefor.~~

45 6.] 5. Town, city and village clerks required to provide official and
46 sample ballots, registration records, seals, supplies and equipment, as
47 described in this section, for town, city and village elections not
48 conducted by the board of elections, shall in like manner, deliver them
49 to the inspectors or presiding officers of the election at each polling
50 place at which such meetings and elections are held, respectively, in
51 like sealed packages marked on the outside in like manner, and shall
52 take receipts therefor in like manner.

53 § 5. Subdivision 1 of section 5-302 of the election law, as separately
54 amended by chapter 164 and chapter 558 of the laws of 1985, is amended
55 to read as follows:

1 1. Before placing the registration poll record in the poll ledger or
2 in the computer generated registration list, the board shall enter in
3 the space provided therefor [~~on the back of such registration poll~~
4 ~~record~~] the name of the party designated by the voter on his application
5 form, provided such party continues to be a party as defined in this
6 law. If such party ceases to be a party at any time, either before or
7 after such enrollment is so entered, the enrollment of such voter shall
8 be deemed to be blank and shall be entered as such until such voter
9 files an application for change of enrollment pursuant to the provisions
10 of this chapter. [~~In the city of New York the board shall also affix a~~
11 ~~gummed sticker of a different color for each party in a place on such~~
12 ~~registration poll record immediately adjacent to such entry.~~] The board
13 shall enter the date of such entry and affix initials thereto in the
14 space provided.

15 § 6. Paragraph c of subdivision 3 of section 5-506 of the election
16 law, as amended by chapter 659 of the laws of 1994, is amended to read
17 as follows:

18 c. The computer generated registration list prepared for each election
19 in each election district shall be [~~printed by a printer~~] prepared in a
20 manner which meets or exceeds standards for clarity and speed of
21 [~~reproduction~~] production established by the state board of elections,
22 shall be in a form approved by such board, shall include the names of
23 all voters eligible to vote in such election and shall be in alphabet-
24 ical order, except that, at a primary election, the names of the voters
25 enrolled in each political party may be placed in a separate part of the
26 list or in a separate list, as the board of elections in its discretion,
27 may determine. Such list shall contain, adjacent to each voter's name,
28 or in a space so designated, at least the following: street address,
29 date of birth, party enrollment, year of registration, a computer
30 reproduced facsimile of the voter's signature or an indication that the
31 voter is unable to sign his name, a place for the voter to sign his name
32 at such election and a place for the inspectors to mark the voting
33 machine number, the public counter number [~~and~~] if any, or the number of
34 any paper ballots given the voter.

35 § 7. Subdivision 2 of section 8-202 of the election law, as amended by
36 chapter 164 of the laws of 2010, is amended to read as follows:

37 2. The exterior of any ballot scanner, ballot marking device and
38 privacy booth and every part of the polling place shall be in plain view
39 of the election inspectors and watchers. The ballot scanners, ballot
40 marking devices, and privacy booths shall be placed at least four feet
41 from the table used by the inspectors in charge of the poll [~~books~~]
42 ledger or computer generated registration list. The guard-rail shall be
43 at least three feet from the machine and the table used by the inspec-
44 tors. The election inspectors shall not themselves be, or allow any
45 other person to be, in any position or near any position, that will
46 permit one to see or ascertain how a voter votes, or how he or she has
47 voted nor shall they permit any other person to be less than three feet
48 from the ballot scanner, ballot marking device, or privacy booth while
49 occupied. The election inspectors or clerks attending the ballot scan-
50 ner, ballot marking device, or privacy booth shall regularly inspect the
51 face of the ballot scanner, ballot marking device, or the interior of
52 the privacy booth to see that the ballot scanner, ballot marking device,
53 or privacy booth has not been damaged or tampered with. During elections
54 the door or other covering of the counter compartment of the machine
55 shall not be unlocked or opened except by a member of the board of

1 elections, a voting machine custodian or any other person upon the
2 specific instructions of the board of elections.

3 § 8. Subdivisions 2, 2-a, 3, 4 and 5 of section 8-302 of the election
4 law, subdivision 2-a as added by chapter 179 of the laws of 2005, subdivi-
5 sions 3 and 4 as amended by chapter 200 of the laws of 1996, the open-
6 ing paragraph of paragraph (e) of subdivision 3 as amended by chapter
7 125 of the laws of 2011 and subparagraph (ii) of paragraph (e) of subdivi-
8 sion 3 as separately amended by chapters 3 and 6 of the laws of 2019,
9 are amended to read as follows:

10 2. The voter shall give [~~his~~] the voter's name and [~~his~~] the voter's
11 residence address to the inspectors. An inspector shall then loudly and
12 distinctly announce the name and residence of the voter.

13 2-a. (a) If a voter's name appears in the ledger or computer generated
14 registration list with a notation indicating that the voter's identity
15 was not yet verified as required by the federal Help America Vote Act,
16 the inspector shall require that the voter produce one of the following
17 types of identification before permitting the voter to cast his or her
18 vote on the voting machine:

19 (i) a driver's license or department of motor vehicles non-driver
20 photo ID card or other current and valid photo identification;

21 (ii) a copy of a current utility bill, bank statement, government
22 check, paycheck or other government document that shows the name and
23 address of the voter.

24 (b) If the voter produces an identification document listed in para-
25 graph (a) of this subdivision, the inspector shall indicate so in the
26 ledger or computer generated registration list, the voter will be deemed
27 verified as required by the federal Help America Vote Act and the voter
28 shall be permitted to cast his or her vote on the voting machine.

29 (c) If the voter does not produce an identification document listed in
30 paragraph (a) of this subdivision, the voter shall only be entitled to
31 vote by affidavit ballot unless a court order provides otherwise.

32 3. (a) If an applicant is challenged, the board, without delay, shall
33 either enter his name in the second section of the challenge report
34 together with the other entries required to be made in such section
35 opposite the applicant's name or make an entry next to [~~his~~] the voter's
36 name [~~on~~] in the computer generated registration list or in the place
37 provided [~~at the end of~~] in the computer generated registration list.

38 (b) A person who claims to have moved to a new address within the
39 election district in which he or she is registered to vote shall be
40 permitted to vote in the same manner as other voters unless challenged
41 on other grounds. The inspectors shall enter the names and new addresses
42 of all such persons in either the first section of the challenge report
43 or in the place provided [~~at the end of~~] in the computer generated
44 registration list and shall also enter the new address next to such
45 person's address on such computer generated registration list. When the
46 registration poll records of persons who have voted from new addresses
47 within the same election district are returned to the board of
48 elections, such board shall change the addresses on the face of such
49 registration poll records without completely obliterating the old
50 addresses and shall enter such new addresses and the new addresses for
51 any such persons whose names were [~~on~~] in computer generated registra-
52 tion lists into its computer records for such persons.

53 (c) A person who claims a changed name shall be permitted to vote in
54 the same manner as other voters unless challenged on other grounds. The
55 inspectors shall either enter the names of all such persons in the first
56 section of the challenge report or in the place provided [~~at the end of~~]

1 in the computer generated registration list, in the form in which they
2 are registered, followed in parentheses by the name as changed or enter
3 the name as changed next to such voter's name on the computer generated
4 registration list. The voter shall sign first on the registration poll
5 record or ~~[on]~~ in the computer generated registration list, the name
6 under which the voter is registered and, immediately above it, the new
7 name, provided that ~~[on]~~ in such ~~[a computer generated]~~ registration
8 list, the new name may be signed in the place provided ~~[at the end of~~
9 ~~such list]~~. When the registration poll record of a person who has voted
10 under a new name is returned to the board of elections, such board shall
11 change ~~[his]~~ the voter's name on the face of each ~~[of his]~~ registration
12 ~~[records]~~ record without completely obliterating the old one, and there-
13 after such person shall vote only under his or her new name. If a voter
14 has signed a new name ~~[on]~~ in a computer generated registration list,
15 such board shall enter such voter's new name and new signature in such
16 voter's computer record.

17 (d) If an applicant requests assistance in voting and qualifies there-
18 for, the board shall provide assistance as directed by this chapter, and
19 shall without delay either enter such applicant's name and the other
20 entries required in the third section of the challenge report or make an
21 entry next to such applicant's name ~~[on]~~ in the computer generated
22 registration list or in the place provided ~~[at the end of the computer~~
23 ~~generated]~~ in such registration list.

24 (e) Whenever a voter presents himself or herself and offers to cast a
25 ballot, and he or she claims to live in the election district in which
26 he or she seeks to vote but no registration poll record can be found for
27 him or her in the poll ledger or his or her name does not appear ~~[on]~~ in
28 the computer generated registration list or his or her signature does
29 not appear next to his or her name ~~[on]~~ in such ~~[computer generated]~~
30 registration list or his or her registration poll record or the computer
31 generated registration list does not show him or her to be enrolled in
32 the party in which he or she claims to be enrolled, a poll clerk or
33 election inspector shall consult a map, street finder or other
34 description of all of the polling places and election districts within
35 the political subdivision in which said election district is located and
36 if necessary, contact the board of elections to obtain the relevant
37 information and advise the voter of the correct polling place and
38 election district for the residence address provided by the voter to
39 such poll clerk or election inspector. Thereafter, such voter shall be
40 permitted to vote in said election district only as hereinafter
41 provided:

42 (i) He or she may present a court order requiring that he or she be
43 permitted to vote. At a primary election, such a court order must speci-
44 fy the party in which the voter is permitted to vote. ~~[He]~~ The voter
45 shall be required to sign ~~[his]~~ their full name on top of the first page
46 of such order, together with ~~[his]~~ the voter's registration serial
47 number, if any, and ~~[his]~~ the voter's name and the other entries
48 required shall then be entered without delay in the fourth section of
49 the challenge report or in the place provided ~~[at the end of]~~ in the
50 computer generated registration list, or, if such person's name appears
51 on ~~[the computer generated]~~ such registration list, the board of
52 elections may provide a place to make such entry next to his or her name
53 on such list. The voter shall then be permitted to vote in the manner
54 otherwise prescribed for voters whose registration poll records are
55 found in the ledger or whose names are found on the computer generated
56 registration list; or

(ii) He or she may swear to and subscribe an affidavit stating that he or she has duly registered to vote, the address in such election district from which he or she registered, that he or she remains a duly qualified voter in such election district, that his or her registration poll record appears to be lost or misplaced or that his or her name and/or his or her signature was omitted from the computer generated registration list or such record indicates the voter already voted when he or she did not do so or that he or she has moved within New York state since he or she last registered, the address from which he or she was previously registered and the address at which he or she currently resides, and at a primary election, the party in which he or she is enrolled. The inspectors of election shall offer such an affidavit to each such voter whose residence address is in such election district. Each such affidavit shall be in a form prescribed by the state board of elections, shall be printed on an envelope of the size and quality used for an absentee ballot envelope, and shall contain an acknowledgment that the affiant understands that any false statement made therein is perjury punishable according to law. Such form prescribed by the state board of elections shall request information required to register such voter should the county board determine that such voter is not registered and shall constitute an application to register to vote. The voter's name and the entries required shall then be entered without delay and without further inquiry in the fourth section of the challenge report or in the place provided [~~at the end of~~] in the computer generated registration list, with the notation that the voter has executed the affidavit hereinabove prescribed, or, if such person's name appears [~~on the computer generated~~] in such registration list, the board of elections may provide a place to make such entry next to his or her name [~~on~~] in such list. The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing his or her affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots.

4. At a primary election, a voter whose registration poll record is in the ledger or computer generated registration list shall be permitted to vote only in the primary of the party in which such record shows [~~him~~] the voter to be enrolled unless [~~he~~] the voter shall present a court order pursuant to the provisions of subparagraph (i) of paragraph (e) of subdivision three of this section requiring that [~~he~~] the voter be permitted to vote in the primary of another party, or unless [~~he~~] the voter shall present a certificate of enrollment issued by the board of elections, not earlier than one month before such primary election, pursuant to the provisions of this chapter which certifies that [~~he~~] the voter is enrolled in a party other than the one in which such record shows [~~him~~] the voter to be enrolled, or unless he or she shall subscribe an affidavit pursuant to the provisions of subparagraph (ii) of paragraph (e) of subdivision three of this section.

5. Except for voters unable to sign their names, no person shall be permitted to vote without first identifying himself or herself as required by this chapter.

§ 9. Subdivisions 1, 2 and 3 of section 8-304 of the election law, subdivisions 1 and 2 as amended by chapter 425 of the laws of 1986, are amended to read as follows:

1. A person before being allowed to vote shall be required, except as provided in this chapter, to sign his or her name on the back of his or

1 her registration poll record on the first line reserved for his or her
2 signature at the time of election which is not filled with a previous
3 signature, or ~~[on the line of]~~ in the space provided in the computer
4 generated registration list reserved for ~~[his]~~ the voter's signature.
5 The two inspectors in charge shall satisfy themselves by a comparison of
6 this signature with ~~[his]~~ the voter's registration signature and by
7 comparison of ~~[his]~~ the voter's appearance with the descriptive material
8 on the face of the registration poll record that ~~[he]~~ the voter is the
9 person registered. If they are so satisfied they shall enter the other
10 information required for the election on the same line with the voter's
11 latest signature, shall sign their names or initials in the spaces
12 provided therefor, and shall permit the applicant to vote. Any inspector
13 or inspectors not satisfied shall challenge the applicant forthwith.

14 2. If a person who alleges ~~[his]~~ an inability to sign his or her name
15 presents himself or herself to vote, the board of inspectors shall
16 permit ~~[him]~~ such person to vote, unless challenged on other grounds,
17 provided ~~[he]~~ the voter had been permitted to register without signing
18 ~~[his]~~ the voter's name. The board shall enter the words "Unable to Sign"
19 in the space on ~~[his]~~ the voter's registration poll record reserved for
20 ~~[his]~~ the voter's signature or on the line ~~[of]~~ or space the computer
21 generated registration list reserved for ~~[his]~~ the voter's signature at
22 such election. If ~~[his]~~ the voter's signature appears upon ~~[his]~~ the
23 voter's registration record or ~~[upon]~~ in the computer generated regis-
24 tration list the board shall challenge ~~[him]~~ the voter forthwith, except
25 that if such a person claims that he or she is unable to sign his or her
26 name by reason of a physical disability incurred since ~~[his]~~ the voter's
27 registration, the board, if convinced of the existence of such disabili-
28 ty, shall permit him or her to vote, shall enter the words "Unable to
29 Sign" and a brief description of such disability in the space reserved
30 for ~~[his]~~ the voter's signature at such election. At each subsequent
31 election, if such disability still exists, ~~[he]~~ the voter shall be enti-
32 tled to vote without signing ~~[his]~~ their name and the board of inspec-
33 tors, without further notation, shall enter the words "Unable to Sign"
34 in the space reserved for ~~[his]~~ the voter's signature at such election.

35 3. The voter's facsimile signature ~~[made by him upon registration and~~
36 ~~his signature made at subsequent elections]~~ shall be effectively
37 concealed from the voter by a blotter or ~~[piece of opaque paper]~~ other
38 means until after the voter shall have completed ~~[his]~~ the signature.

39 § 10. Subdivision 3 of section 8-306 of the election law, as amended
40 by chapter 154 of the laws of 1991, is amended to read as follows:

41 3. Any voter who requires assistance to vote by reason of blindness,
42 disability or inability to read or write may be given assistance by a
43 person of the voter's choice, other than the voter's employer or agent
44 of the employer or officer or agent of the voter's union. A voter enti-
45 tled to assistance in voting who does not select a particular person may
46 be assisted by two election inspectors not of the same political faith.
47 The inspectors or person assisting a voter shall enter the voting
48 machine or booth with ~~[him]~~ the voter, help ~~[him]~~ the voter in the prep-
49 aration of ~~[his]~~ the voter's ballot and, if necessary, in the return of
50 the voted ballot to the inspectors for deposit in the ballot box. The
51 inspectors shall enter in the ~~[remarks space on the registration poll~~
52 ~~card of an assisted voter, or next to the name of]~~ space provided for
53 such voter ~~[on]~~ in the computer generated registration list, the name of
54 each officer or person rendering such assistance.

§ 11. Subdivision 2 of section 8-508 of the election law, as amended by chapter 200 of the laws of 1996, paragraph (b) as amended by chapter 6 of the laws of 2019, is amended to read as follows:

2. (a) The first section of such report shall be reserved for the inspectors of election to enter the name, address and registration serial number of each person who claims a change in name, or a change of address within the election district, together with the new name or address of each such person. In lieu of preparing section one of the challenge list, the board of elections may provide, next to the name of each voter ~~[on]~~ in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section one, or provide ~~[at the end of such computer generated]~~ elsewhere in such registration list, a place for the inspectors of election to enter such information.

(b) The second section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each person who is challenged at the time of voting together with the reason for the challenge. If no voters are challenged, the board of inspectors shall enter the words "No Challenges" across the space reserved for such names. In lieu of preparing section two of the challenge report, the board of elections may provide, next to the name of each voter ~~[on]~~ in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section two, or provide ~~[at the end of such computer generated]~~ elsewhere in such registration list, a place for the inspectors of election to enter such information.

(c) The third section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each voter given assistance, together with the reason the voter was allowed assistance, the name of the person giving such assistance and his address if not an inspector. If no voters are given assistance, the board of inspectors shall enter the words "No Assistance" across the space reserved for such names. In lieu of providing section three of the challenge report, the board of elections may provide, next to the name of each voter ~~[on]~~ in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section three, or provide ~~[at the end of such computer generated]~~ elsewhere in such registration list, a place for the inspectors of election to enter such information.

(d) The fourth section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each person who was permitted to vote pursuant to a court order, or to vote on a paper ballot which was inserted in an affidavit envelope. If there are no such names, such board shall enter the word "None" across the space provided for such names. In lieu of providing section four of such report, the board of elections may provide, next to the name of each voter ~~[on]~~ in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section four, or provide ~~[at the end of the computer generated]~~ elsewhere in such registration list, a place for the inspectors of election to enter such information.

(e) At the foot of such report ~~[and]~~ or at the end of any such computer generated registration list, if applicable, shall be ~~[printed]~~ a certificate that such report or list contains the names of all persons who were challenged on the day of election, and that each voter so reported as having been challenged took the oaths as required, that such

1 report or list contains the names of all voters to whom such board gave
2 or allowed assistance and lists the nature of the disability which
3 required such assistance to be given and the names and family relation-
4 ship, if any, to the voter of the persons by whom such assistance was
5 rendered; that each such assisted voter informed such board under oath
6 that he required such assistance and that each person rendering such
7 assistance took the required oath; that such report or list contains the
8 names of all voters who were permitted to vote although their registra-
9 tion poll records were missing; that the entries made by such board are
10 a true and accurate record of its proceedings with respect to the
11 persons named in such report or list.

12 (f) Upon the return of such report [~~and~~] or lists to the board of
13 elections, it shall complete the investigation of voting qualifications
14 of all persons named in the second section thereof or for whom entries
15 were placed [~~on~~] in such computer generated registration lists in lieu
16 of the preparation of the second section of the challenge report, and
17 shall forthwith proceed to cancel the registration of any person who, as
18 noted upon such report, or in such list, was challenged at such election
19 and refused either to take a challenge oath or to answer any challenge
20 question.

21 (g) The state board of elections shall prescribe a form of challenge
22 report for use pursuant to the provisions of this section. Such form may
23 require the insertion of such other information as the state board shall
24 deem appropriate.

25 § 12. Section 8-510 of the election law, the section heading as
26 amended by chapter 373 of the laws of 1978, subdivision 1 as amended by
27 chapter 200 of the laws of 1996, and subdivision 3 as amended by chapter
28 43 of the laws of 1988, is amended to read as follows:

29 § 8-510. Challenge report; completion of and [~~closing of registration~~
30 ~~poll ledgers~~] procedure after. 1. Immediately after the close of the
31 polls the board of inspectors of election shall verify the entries which
32 it has made on the challenge report or [~~at the end of the~~] in the spaces
33 provided in the computer generated registration list by comparing such
34 entries with the information appearing on the registration poll records
35 of the affected voters or the information appearing [~~next to the names~~
36 ~~of such voters on~~] in the spaces provided in the computer generated
37 registration list. If it has made no entries in section two, three or
38 four of such report it shall write across or note in such section the
39 words "No challenges", "No assistance" or "None", as the case may be, as
40 directed in this chapter.

41 2. After completing such report the inspectors shall sign [~~the~~] a
42 certificate [~~at the end of~~] in the spaces provided by the county board
43 of elections for such report.

44 3. The inspectors shall place such completed report, and each court
45 order, if any, directing that a person be permitted to vote, [~~inside a~~]
46 in the secure container provided by the county board of elections for
47 such ledger of registration records or computer generated registration
48 lists [~~between the front cover, and the first registration record~~] and
49 then shall close and seal each ledger of registration records or comput-
50 er generated registration lists, [~~affix their signature to the seal,~~]
51 lock such ledger in the carrying case furnished for that purpose and
52 enclose the keys in a sealed package or seal such list in the envelope
53 provided for that purpose.

54 § 13. Clauses (C) and (D) of subparagraph (i) of paragraph (a) of
55 subdivision 2 of section 9-209 of the election law, as amended by chap-
56 ter 308 of the laws of 2011, are amended to read as follows:

(C) If such person is found to be registered and has not voted in person, an inspector shall compare the signature, if any, on each envelope with the signature, if any, on the registration poll record, the computer generated list of registered voters or the list of special presidential voters, of the person of the same name who registered from the same address. If the signatures are found to correspond, such inspector shall certify thereto by [~~signing~~] placing his or her initials in the [~~"Inspector's Initials" line on the~~] space provided in the computer generated list of registered voters [~~or in the "remarks" column as appropriate~~].

(D) If such person is found to be registered and has not voted in person, and if no challenge is made, or if a challenge made is not sustained, the envelope shall be opened, the ballot or ballots withdrawn without unfolding, and the ballot or ballots deposited in the proper ballot box or boxes, or envelopes, provided however that, in the case of a primary election, the ballot shall be deposited in the box only if the ballot is of the party with which the voter is enrolled according to the entry on the back of his or her registration poll record or [~~next to his or her name on~~] in the computer generated registration list; if not, the ballot shall be rejected without inspection or unfolding and shall be returned to the envelope which shall be endorsed "not enrolled." At the time of the deposit of such ballot or ballots in the box or envelopes, the inspectors shall enter the words "absentee vote" or "military vote" in the space reserved for the voter's signature on the aforesaid list or in the "remarks" [~~column~~] space as appropriate, and shall enter the year and month of the election on the same line in the spaces provided therefor.

§ 14. Subdivision 4 of section 11-206 of the election law, as amended by chapter 91 of the laws of 1992, is amended to read as follows:

4. The registration poll records of special federal voters shall be filed, in alphabetical order, by election district. At each election at which [~~the ballots of~~] special federal voters are [~~delivered to the inspectors of election in each election district~~] eligible to vote, the registration poll records of all special federal voters [~~eligible to vote at such election~~] shall be delivered to such inspectors of election together with the other registration poll records or the names of such voters shall be included [~~on~~] in the computer generated registration list. Such records shall be delivered either in a separate poll ledger or a separate, clearly marked section, of the main poll ledger or [~~in a separate,~~] be clearly marked [~~, section of~~] in the computer generated registration list as the board of elections shall determine.

§ 15. This act shall take effect immediately; provided, however, that the amendments to subparagraph (ii) of paragraph (e) of subdivision 3 of section 8-302 of the election law made by section eight of this act shall take effect on the same date and in the same manner as chapter 3 of the laws of 2019, takes effect.