STATE OF NEW YORK

3188

2019-2020 Regular Sessions

IN SENATE

February 4, 2019

Introduced by Sen. KENNEDY -- 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 automatic dialing-announcing device call notification of a change in location of a polling place

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

Section 1. Subdivision 2 of section 4-104 of the election law is amended to read as follows:

2. If the board of elections, after designating a polling place, and after sending written notice of such polling place to each registered voter, designates an alternative polling place, it must, at least five days before the next election or day for registration, send by mail a written notice **and call by automatic dialing-announcing device** to each registered voter notifying him of the changed location of such polling place. If such notice is not possible the board of elections must provide for an alternative form of notice to be given to voters at the location of the previous polling place.

§ 2. Paragraph (a) of subdivision 5 of section 4-104 of the election law, as amended by chapter 95 of the laws of 1995, is amended to read as follows:

(a) Whenever the number of voters eligible to vote in an election in any election district is less than one hundred, the polling place designated for such district may be the polling place of any other district which could properly be designated as the polling place of the first mentioned district pursuant to the provisions of this chapter, except that the polling place designated for any such district may be the polling place of any other district in such city or town provided that the distance from such first mentioned district to the polling place for such other district is not unreasonable pursuant to rules or regulations prescribed by the state board of elections and provided that the total

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

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number of persons eligible to vote in such other district in such election, including the persons eligible to vote in such first mentioned districts, is not more than five hundred. The inspectors of election and poll clerks, if any, of such other election district shall also act in all respects as the election officers for such first mentioned districts and no other inspectors shall be appointed to serve in or for such first mentioned districts. A separate poll ledger or computer generated registration list, separate voting machine or ballots and separate canvass of results shall be provided for such first mentioned districts, except that if the candidates and ballot proposals to be voted on by the voters of such districts are the same, the election districts shall be combined and shall constitute a single election district for that election. If the polling place for any election district is moved for any election, pursuant to the provisions of this subdivision, the board of elections shall, not later than ten nor more than fifteen days before such election, mail, by first class mail, to each voter eligible to vote in such election district at such election, a notice setting forth the location of the polling place for such election and specifying that such location is for such election only **and call, by automatic dialing-announcing device, any voter that has supplied the board with a phone number**.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.