STATE OF NEW YORK

11167

IN ASSEMBLY

December 4, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. D. Rosenthal) -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to the canvass of absentee ballots as they are received

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

Section 1. Subdivision 1 of section 9-209 of the election law, as amended by chapter 104 of the laws of 2010, is amended to read as follows:

1. (a) The board of elections shall designate itself or such of its employees as it shall deem appropriate as a set of poll clerks to cast and canvass such ballots[~~, and fix a time and place for their meeting for such purpose, provided that such meeting shall be no more than fourteen days after a general or special election and no more than eight days after a primary election at which such ballots are voted~~] **immediately as they are received**. The board may designate additional sets of poll clerks and if it designates more than one such set shall apportion among all such sets the election districts from which such ballots have been received, provided that all such ballots from a single election district shall be assigned to a single set of clerks, and that each such set shall be divided equally between representatives of the two major political parties. Each such set of clerks shall be deemed a central board of inspectors for purposes of this section.

(b) [~~At least five days prior to the time fixed for such meeting~~] **Prior to the board of elections receiving such ballots**, the board shall send notice by first class mail to each candidate, political party, and independent body entitled to have had watchers present at the polls in any election district in the board's jurisdiction. Such notice shall state the time and place fixed by the board for **when** such canvass **shall begin**.

(c) Each such candidate, political party, and independent body shall be entitled to appoint such number of watchers to attend upon each central board of inspectors as such candidate, political party, or independent body was entitled to appoint at such election in any one

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

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election district for which such central board of inspectors is designated to act.

§ 2. The opening paragraph of subparagraph (i) of paragraph (a) of subdivision 2 of section 9-209 of the election law, as amended by chapter 308 of the laws of 2011, is amended to read as follows:

Upon assembling at the time and place fixed for [~~such meeting~~] **the canvass of such ballots**, each central board of inspectors shall examine, cast, and canvass the envelopes and the ballots therein contained as nearly as practicable in the following manner:

§ 3. This act shall take effect immediately.