STATE OF NEW YORK

3094

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Election Law

AN ACT to amend the military law and the election law, in relation to the counting of ballots of deceased military personnel

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

Section 1. The military law is amended by adding a new section 234 to read as follows:

§ 234. Counting of ballots of deceased military personnel. Any member of the Army, Navy, Air Force, Marine Corps, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, National Guard, New York Army National Guard, New York Air National Guard, New York Guard or Naval Militia, who casts an absentee or military ballot while on active duty, shall have such ballot be counted, in the event that such service member dies as a result of participating in combat operations before the date of the scheduled election for which it was cast.

§ 2. The election law is amended by adding a new section 8-413 to read as follows:

§ 8-413. Counting of ballots of deceased military personnel. Any member of the Army, Navy, Air Force, Marine Corps, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, National Guard, New York Army National Guard, New York Air National Guard, New York Guard or Naval Militia, who casts an absentee or military ballot while on active duty, shall have such ballot be counted, in the event that such service member dies as a result of participating in combat operations before the date of the scheduled election for which it was cast.

§ 3. 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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