STATE OF NEW YORK

5492

2019-2020 Regular Sessions

IN ASSEMBLY

February 12, 2019

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

AN ACT to amend the election law, in relation to on demand voting

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

Section 1. Article 8 of the election law is amended by adding a new title 6 to read as follows:

TITLE VI

ON DEMAND VOTING

Section 8-600. Right to on demand voting.

8-602. On demand voting; method of.

§ 8-600. Right to on demand voting. Voters in the state of New York shall have the right to vote in any polling place within their county by requesting a ballot that corresponds with the ballot they would receive from their assigned polling place, having a copy of such ballot made and having such ballot cast.

§ 8-602. On demand voting; method of. 1. An on demand voter shall receive their ballot, fill it out, and submit such ballot in the same manner as a traditional voter with the following exceptions:

(a) Upon requesting a ballot from a poll worker, an on demand voter shall give his or her full name and address. The poll worker shall then use the official statewide voter registration list to determine that the on demand voter is registered to vote within the county. If the on demand voter is registered within the same county as the district they are attempting to vote in, the poll worker shall print an official on demand ballot for the on demand voter's district and supply them with an on demand affirmation envelope instead of the ballot for the district they are voting in. If the on demand voter is not registered to vote within the same county, the on demand voter shall be treated as if a traditional voter attempting to vote in the wrong district with the exception that they are supplied an on demand ballot and on demand

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

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affirmation envelope for the district they say they are registered to vote in.

(b) Upon an on demand voter sealing and completing the affirmation envelope in the voting area, such envelope shall be deposited into a secure on demand ballot box.

2. Once the polls are closed and no one in the district is allowed to cast a ballot in a district's place of voting, the on demand ballot box shall be immediately brought to the board of elections. On demand ballots received by the board of elections shall be retained at the board of elections and cast and canvassed pursuant to the provisions of section 9-209 of this chapter.

§ 2. The election law is amended by adding a new section 7-132 to read as follows:

§ 7-132. Ballots; on demand. 1. Ballots for on demand voters shall be in the same form as those to be used in the on demand voters' district on election day except the ballot shall have the words "On Demand Ballot", endorsed thereon.

2. The board of elections shall furnish with each on demand ballot an on demand affirmation envelope. On one side of the envelope shall be printed:

OFFICIAL ON DEMAND BALLOT
for
GENERAL (OR PRIMARY OR SPECIAL) ELECTION,
....., 20.....

Name of voter.....

Residence (street and number if any).....

City/or town of.....(village, if any).....

County of.....

Assembly district .....

Legislative District (as applicable) .....

Ward (as applicable) .....

Election District.....

Party Enrollment (in case of primary election).....

3. The date of the election, name of the county, and name of a city, if there be a separate ballot for city voters, shall be printed, and the name of the voter, residence, number of the assembly district, if any, name of town, number of ward, if any, election district and party enrollment, if required, shall be written onto the envelope by the on demand voter.

4. There shall also be a place for two inspectors of opposite political parties to indicate, by placing their initials thereon, that they have checked and marked the voter's poll record.

5. On the reverse side of such affirmation envelope shall be printed the following statement:

AFFIRMATION

I do declare that I am a citizen of the United States, that I am duly registered in the election district shown on the reverse side of this envelope and I am qualified to vote in such district; that I have not qualified nor do I intend to vote elsewhere, that I have not committed any act nor am I under any impediment which denies me the right to vote. I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of on demand voter, I shall be guilty of a misdemeanor.

Date.....20..... .....

Signature or mark of voter

.....

Signature of Witness (required only if voter does not sign his own name)

.....

Address of Witness

6. Upon the on demand ballot being marked and inserted into a completed affirmation envelope, the affirmation envelope shall be sealed and deposited into the district's secure on demand ballot box.

§ 3. Section 9-124 of the election law, as amended by chapter 334 of the laws of 2013, is amended to read as follows:

§ 9-124. Returns of canvass, procedure after. 1. After the returns of the canvass are made out and signed, the inspectors shall enclose the protested and void ballots and the ballots cast in affidavit envelopes in a separate sealed envelope or envelopes and endorse thereon a certificate signed by each of them stating the number of the district and the number of ballots contained in such envelope or envelopes. The inspectors shall enclose the unscanned voted ballots canvassed in accordance with section 9-110 of this title in a separate sealed envelope and endorse thereon a certificate signed by each of them stating the number of the district and the number of ballots contained in such envelope. The inspectors shall then package and seal the other voted ballots and place them in one or more boxes or containers, and include within such boxes or containers one portable memory device from each ballot scanner pursuant to paragraph (d) of subdivision two of section 9-102 of this title, and any absentee, on demand, military, special federal, or special presidential ballots which may have been delivered to the poll site during election day, and securely lock and seal such boxes or containers. Notwithstanding the preceding sentence, such portable memory device from each ballot scanner with the corresponding results tape may be enclosed in a sealed container and transported prior to and separately from other materials referenced in this section for the purpose of using such device to provide an unofficial tally of results as required by section 9-126 of this title.

2. Each box, envelope, or container containing the ballots and stubs, if any, and all items described in subdivision one of this section shall be deposited by an inspector designated for that purpose with the officer or board from whom or which the board of inspectors received it. In the city of New York, every such box, envelope, or container shall be delivered at the polling place to police or peace officers designated by

the police commissioner of such city, who shall deposit them with the board of elections.

3. (a) Except in the city of New York, the registration poll records or computer generated registration lists, the returns of canvass with results tapes and tally sheets, if any, annexed, the voted ballots, stubs, opened packages of unused ballots and ballot envelopes, any absentee, **on demand,** military, special federal, or special presidential ballots which may have been delivered to the poll site during election day, the challenge records and the package of protested and void ballots shall be filed with the board of elections.

(b) Records and supplies to be filed with a city, town or village clerk shall be so filed or delivered immediately after the completion of the returns of the canvass, by an inspector designated by the board of inspectors. Returns, papers and registration poll records or computer generated registration lists to be filed with the board of elections shall be so filed by the chairman of the board of inspectors within twenty-four hours after the completion of such returns. The person receiving such returns in the board of elections shall give to the person delivering the returns a receipt stating therein the date and hour of delivery, the name of the person making the delivery, and to whom said returns were delivered and shall keep a duplicate of said receipt on file in the office of the board of elections.

(c) The county legislative body of any county in the state except the counties comprising the city of New York may, by a resolution, ordinance or act as required, provide that all returns, papers, registration poll records or computer generated registration lists, books, records, documents, and other election supplies and materials shall be filed by the chairman of the board of inspectors of elections in a city or town and in a village in which elections are conducted by the board of elections, with the city, town or village clerk of such city, town or village in the county within eighteen hours after the closing of the polls at any primary, general, special or village election and the city, town or village clerk upon receiving such returns, papers, registers or lists, books, records, documents, and other election supplies and materials shall give to the person making the delivery, a receipt stating therein the date and hour of the delivery and the name of such person. Within twenty-four hours after the closing of the polls at any primary, general, special or village election, the city, town or village clerk shall file all returns, papers, registration poll records or computer generated registration lists, books, records, documents and other election supplies and materials filed with him by the inspectors of the election districts of the city, town or village, with the board of elections of the county and the board of elections shall give to the city, town or village clerk a receipt therefor stating therein the date and hour of the delivery and the name of the person making the delivery and to whom it was made, and shall keep a duplicate of said receipt on file in the office of the board of elections.

(d) In the city of New York, the board of inspectors shall deliver to police or peace officers designated by the police commissioner of such city, at the polling place the registration poll records or computer generated registration lists, challenge report, records, keys, other election supplies, including two copies of the returns of the canvass and any absentee, **on demand,** military, special federal, or special presidential ballots which may have been delivered to the poll site during election day, voted ballots, stubs, open packages of unused ballots and ballot envelopes. Such police or peace officers shall file the returns,

the package of void and protested ballots, if any, and the absentee, **on demand,** military, special federal, special presidential, and emergency ballots, stubs and ballot envelopes, if any, within twenty-four hours after the close of the polls, in the office of the board of elections or its branch office within the borough, as the case may be.

§ 4. Subdivision 3 of section 3-222 of the election law, as amended by chapter 282 of the laws of 2011, is amended to read as follows:

3. Except as hereinafter provided, packages of protested, void and wholly blank ballots, open packages of unused ballots and all absentee [~~and~~]**, on demand,** military, special federal, special presidential and emergency ballots and ballot envelopes, if any, opened or unopened, shall be preserved for two years after the election. Sealed packages of unused ballots shall be retained for four months, and may then be destroyed, provided a certificate articulating the election district identifying data and numbers of such ballots is filed with the balance of ballots described in this section, for the balance of the two year retention period. Except as hereinafter provided, boxes containing voted paper ballots, if any shall be preserved inviolate for four months after the election, or until one month before the next election occurring within five months after a preceding election if such boxes are needed for use at such next election and if the officer or board in charge of such voted paper ballots is required by law to furnish ballot boxes therefor. Provided, however, that such ballot boxes and such packages may be opened, and their contents and the absentee [~~and~~]**, on demand,** military, special federal, special presidential and emergency ballots and ballot envelopes may be examined, upon the order of any court or justice of competent jurisdiction. Boxes and envelopes containing absentee, **on demand,** military and emergency ballots voted at a general or special election, for the office of member of the senate or assembly, packages of void, protested and wholly blank ballots, unopened absentee~~,~~ **on demand** and military ballot envelopes and the packages of unused ballots, in connection with such election, also may be opened, and their contents and such envelopes also may be examined, by direction of a committee of the senate or assembly to investigate and report on contested elections of members of the legislature. Unless otherwise ordered or directed by such a court, justice or committee, such boxes shall be opened and their contents and such packages and the envelopes containing voted ballots and ballot envelopes shall be destroyed, at the expiration of the period during which they are required by the provisions of this section to be preserved, except that instead of being destroyed, they may be sold and the proceeds paid over in the manner provided with respect to the sale of books, records and papers pertaining to an election.

§ 5. Section 4-134 of the election law is amended by adding a new subdivision 3-a to read as follows:

3-a. Any affirmation envelope containing on demand voters' ballots on which the blanks have not been properly filled in shall be stamped to indicate the defect and shall be preserved by the board for at least one year after the receipt thereof.

§ 6. Subdivision 1 of section 5-502 of the election law, as amended by chapter 510 of the laws of 1985, is amended to read as follows:

1. The board of elections shall furnish in time for use by the boards of inspectors of election, the registration records, an American flag, a map or certified description of the election district, and the adjoining election districts, challenge affidavits, absentee voting applications, a list of voters who are currently registered in the election district,

a list of those voters who have been cancelled in the last year with the reason for such cancellations, forms for statements of temporary absence, a sufficient number of copies of the ballot proposals to be submitted to the voters at the ensuing election, at least one copy of the instruction booklet for inspectors**, a mechanism for producing an on demand ballot for any person registered to vote within the county, on demand affirmation envelopes** and all other forms and supplies required for the administration of the registration system as provided by this article.

§ 7. Paragraph i of subdivision 3 of section 5-614 of the election law, as added by chapter 24 of the laws of 2005, is amended to read as follows:

i. allow local boards of elections, using their own systems, to perform essential election functions including but not limited to processing of absentee voters, **processing of on demand voters,** administration of poll workers and polling places, assignment of election jurisdictions based on residence and address and other functions necessary for the conduct of elections using voter registration information from the official statewide voter registration list.

§ 8. Section 8-502 of the election law, as amended by chapter 373 of the laws of 1978, is amended to read as follows:

§ 8-502. Challenges; generally. Before his vote is cast at an election any person may be challenged as to his right to vote, or his right to vote by absentee, **on demand,** military, special federal or special presidential ballot. Such challenge may be made by an inspector or clerk, by any duly appointed watcher, or by any registered voter properly in the polling place. An inspector shall challenge every person offering to vote, whom he shall know or suspect is not entitled to vote in the district, and every person whose name appears on the list of persons to be challenged on election day which is furnished by the board of elections.

§ 9. The section heading and subdivision 1 of section 8-506 of the election law, the section heading as amended by chapter 8 of the laws of 1978 and subdivision 1 as amended by chapter 40 of the laws of 2009, are amended to read as follows:

Challenges; absentee, **on demand,** military, special federal and special presidential ballots. 1. During the examination of absentee, **on demand,** military, special federal and special presidential voters' ballot envelopes, any inspector shall, and any watcher or registered voter properly in the polling place may, challenge the casting of any ballot upon the ground or grounds allowed for challenges generally, or (a) that the voter was not entitled to cast an absentee, **on demand,** military, special federal or special presidential ballot, or (b) that notwithstanding the permissive use of titles, initials or customary abbreviations of given names, the signature on the ballot envelope does not correspond to the signature on the registration poll record, or (c) that the voter died before the day of the election.

§ 10. Section 9-209 of the election law, as amended by chapter 104 of the laws of 2010, the opening paragraph as amended by chapter 163 of the laws of 2010 and paragraphs (a) and (c) of subdivision 2 as amended by chapter 308 of the laws of 2011, is amended to read as follows:

§ 9-209. Canvass of absentee, **on demand,** military and special ballots and ballots cast by voters with registration poll records missing on days of election or voters who have not had their identity previously verified or who have moved after registering. Before completing the canvass of votes cast in any primary, general, special, or other

election at which voters are required to sign their registration poll records before voting, the board of elections shall proceed in the manner hereinafter prescribed to cast and canvass any absentee, **on demand,** military, special presidential, special federal or other special ballots and any ballots voted by voters who moved within the county or city after registering, voters who are in inactive status, voters whose registration was incorrectly transferred to another address even though they did not move, voters whose registration poll records were missing on the day of such election, voters who have not had their identity previously verified and voters whose registration poll records did not show them to be enrolled in the party in which they claimed to be enrolled. Each such ballot shall be retained in the original envelope containing the voter's affidavit and signature, in which it is delivered to the board of elections until such time as it is to be cast and canvassed.

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. 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, 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 such canvass.

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

2. (a) (i) Upon assembling at the time and place fixed for such meeting, 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:

(A) If a person whose name is on an envelope as a voter has already voted in person at such election, or if his or her name and residence as stated on the envelope are not on a registration poll record, or the computer generated list of registered voters or the list of special presidential voters, or if there is no name on the envelope, or if the envelope is not sealed, such envelope shall be laid aside unopened.

(B) If there is more than one ballot envelope executed by the same voter, the one bearing the later date of execution shall be accepted and the other rejected. If it cannot be determined which envelope bears the later date, then all such envelopes shall be rejected.

(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 envel-

ope 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 his or her initials in the "Inspector's Initials" line on 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 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"**, "on demand vote"** or "military vote" in the space reserved for the voter's signature on the aforesaid list or in the "remarks" column as appropriate, and shall enter the year and month of the election on the same line in the spaces provided therefor.

(E) As each envelope is opened, if one or more of the different kinds of ballots to be voted at the election are not found therein, the clerks, or inspectors, shall make a memorandum showing what ballot or ballots are missing. If a ballot envelope shall contain more than one ballot for the same offices, all the ballots in such envelope shall be rejected. When the casting of such ballots shall have been completed the clerks or inspectors shall ascertain the number of such ballots of each kind which have been deposited in the ballot box by deducting from the number of envelopes opened the number of missing ballots, and shall make a return thereof. The number of absentee voters' ballots **and on demand voters' ballots** deposited in the ballot box shall be added to the number of other ballots deposited in the ballot box, in order to determine the number of all ballots of each kind to be accounted for in the ballot box.

(ii) If the board of inspectors determines that a person was entitled to vote at such election it shall cast and canvass such ballot if such board finds that ministerial error by the board of elections or any of its employees caused such ballot envelope not to be valid on its face.

(iii) If the board of elections determines that a person was entitled to vote at such election, the board shall cast and canvass such ballot if such board finds that the voter appeared at the correct polling place, regardless of the fact that the voter may have appeared in the incorrect election district.

(b)(i) Such board of inspectors shall also cast and canvass any federal write-in absentee ballots validly cast by an absentee voter, a military voter or a special federal voter for the offices of president and vice-president, United States senator and representative in congress. Such board of inspectors shall also cast and canvass any federal write-in absentee ballots validly cast by a military voter for all questions or proposals, public offices or party positions for which a military voter is otherwise eligible to vote as provided in section 10-104 of this chapter.

(ii) Federal write-in absentee ballots shall be cast and canvassed only if: (A) an application for an absentee, military or special federal ballot was received from the absentee, military or special federal voter at least thirty days before election day; (B) the federal write-in absentee ballot was submitted from inside or outside the United States by a military voter or was submitted from outside the United States by a special federal voter; (C) such ballot is received by the board of elections not later than thirteen days following the day of election or seven days after a primary election; and (D) the absentee, military or special federal ballot which was sent to the voter is not received by the board of elections by the thirteenth day following the day of a general or special election or the seventh day after a primary election.

(iii) If such a federal write-in absentee ballot is received after election day, the envelope in which it is received must contain: (A) a cancellation mark of the United States postal service or a foreign country's postal service; (B) a dated endorsement of receipt by another agency of the United States government; or (C) if cast by a military voter, the signature and date of the voter and one witness thereto with a date which is ascertained to be not later than the day before election day.

(iv) If such a federal write-in absentee ballot contains the name of a person or persons in the space provided for a vote for any office, such ballot shall be counted as a vote for such person or persons. A vote for a person who is the candidate of a party or independent body either for president or vice-president shall be deemed to be a vote for both the candidates of such party or independent body for such offices. If such a ballot contains the name of a party or independent body in the space provided for a vote for any office, such ballot shall be deemed to be a vote for the candidate or candidates, if any, of such party or independent body for such office. In the case of the offices of president and vice-president a vote cast for a candidate, either directly or by writing in the name of a party or independent body, shall also be deemed to be votes for the electors supporting such candidate. Any abbreviation, misspelling or other minor variation in the form of the name of a candidate or a party or independent body shall be disregarded in determining the validity of the ballot, if the intention can be ascertained.

(b-1) Such board of inspectors shall also cast and canvass any federal write-in on demand ballots validly cast by an on demand voter for the offices of president and vice-president, United States senator and representative in congress. If such a federal write-in on demand ballot contains the name of a person or persons in the space provided for a vote for any office, such ballot shall be counted as a vote for such person or persons. A vote for a person who is the candidate of a party or independent body either for president or vice-president shall be deemed to be a vote for both the candidates of such party or independent body for such offices. If such a ballot contains the name of a party or independent body in the space provided for a vote for any office, such ballot shall be deemed to be a vote for the candidate or candidates, if any, of such party or independent body for such office. In the case of the offices of president and vice-president a vote cast for a candidate, either directly or by writing in the name of a party or independent body, shall also be deemed to be votes for the electors supporting such candidate. Any abbreviation, misspelling or other minor variation in the form of the name of a candidate or a party or independent body shall be disregarded in determining the validity of the ballot, if the intention can be ascertained.

(c) The following provisions shall apply to casting and canvassing of all such ballots which are counted by machine and all other provisions of this chapter with respect to casting and canvassing such ballots which are not inconsistent with this paragraph shall be applicable to such ballots.

(i) Such ballots may be separated into sections before being placed in the counting machine.

(ii) Any write-in ballots and any ballots which cannot be counted by the machine shall be counted manually subject to all the applicable provisions of this chapter with respect to counting of ballots.

(iii) The record of the vote counted by machine for each candidate and for and against each ballot proposal, printed by election district, shall be preserved in the same manner and for the same period as the returns of canvass for the election.

(d) Any person lawfully present may object to the refusal to cast or canvass any ballot on the grounds that the voter is a properly qualified voter of the election district, or in the case of a party primary duly enrolled in such party, or to the casting or canvassing of any ballot on the grounds that the voter is not a properly qualified voter of the election district, or in the case of a party primary not duly enrolled in such party, or otherwise not entitled to cast such ballot. When any such objection is made, the central board of inspectors shall forthwith proceed to determine such objection and reject or cast such ballot according to such determination. If the board cannot agree as to the validity of the ballot it shall set the ballot aside, unopened, for a period of three days at which time the ballot envelope shall be opened and the vote counted unless otherwise directed by an order of the court.

(e) Upon completing the casting and canvassing of ballots as hereinabove provided for any election district, the central board of inspectors shall thereupon, as nearly as practicable in the manner provided in this chapter for absentee **and on demand** ballots, verify the number of ballots so cast, tally the votes so cast, add such tally to the previous tally of all votes cast in such election district, and announce the result.

§ 11. Subdivision 1 of section 16-106 of the election law, as amended by chapter 659 of the laws of 1994, is amended to read as follows:

1. The casting or canvassing or refusal to cast challenged ballots, blank ballots, void or canvass absentee, **on demand,** military, special federal, federal write-in or emergency ballots and ballots voted in affidavit envelopes by persons whose registration poll records were not in the ledger or whose names were not on the computer generated registration list on the day of election or voters in inactive status, voters who moved to a new address in the city or county or after they registered or voters who claimed to be enrolled in a party other than that shown on their registration poll record or on the computer generated registration list and the original applications for [~~a~~] **an on demand,** military, special federal, federal write-in, emergency or absentee voter's ballot may be contested in a proceeding instituted in the supreme or county court, by any candidate or the chairman of any party committee, and by any voter with respect to the refusal to cast such voter's ballot, against the board of canvassers of the returns from such district, if any, and otherwise against the board of inspectors of election of such district. If the court determines that the person who cast such ballot was entitled to vote at such election, it shall order such ballot to be cast and canvassed if the court finds that ministerial error by the board of elections or any of its employees caused such ballot envelope not to be valid on its face.

§ 12. Subdivision 4 of section 16-108 of the election law is amended to read as follows:

4. Such court, justice or judge, in a proceeding instituted by any voter unlawfully denied an absentee **or on demand** ballot or the application therefor, shall compel, by order, the delivery to such voter of a ballot or application.

§ 13. Subdivision 23 of section 17-130 of the election law, as renumbered by chapter 373 of the laws of 1978, is renumbered subdivision 24 and a new subdivision 23 is added to read as follows:

23. Intentionally opens an on demand voter's affirmation envelope or examines the contents thereof after the receipt of the envelope by the board of elections and before the close of the polls at the election; or,

§ 14. Subdivision 9 of section 17-132 of the election law is renumbered subdivision 10 and a new subdivision 9 is added to read as follows:

9. Fraudulently signs the name of another upon an on demand voter's affirmation envelope or aids in doing or attempting to do a fraudulent act in connection with an on demand vote cast or attempted to be cast; or,

§ 15. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however, that the state board of elections shall promulgate any rules and regulations necessary for the implementation of this act on or before such effective date.