A. 780

2019-2020 Regular Sessions

SENATE - ASSEMBLY

January 10, 2019

- IN SENATE -- Introduced by Sens. MYRIE, ADDABBO, BAILEY, BENJAMIN, BIAG-GI, BRESLIN, BROOKS, CARLUCCI, COMRIE, GAUGHRAN, GIANARIS, GOUNARDES, HARCKHAM, HOYLMAN, JACKSON, KAMINSKY, KAPLAN, KAVANAGH, KENNEDY, KRUEGER, LIU, MARTINEZ, MAY, MAYER, METZGER, MONTGOMERY, PARKER, PERSAUD, RAMOS, RIVERA, SALAZAR, SANDERS, SAVINO, SEPULVEDA, SERRANO, SKOUFIS, STAVISKY, STEWART-COUSINS, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections
- IN ASSEMBLY -- Introduced by M. of A. LAVINE, HEASTIE, CUSICK, BLAKE, SIMON, PAULIN, DINOWITZ, L. ROSENTHAL, LIFTON, FAHY, LUPARDO, ABINAN-TI, ROZIC, GALEF, COOK, RAMOS, CYMBROWITZ, JAFFEE, CARROLL, TAYLOR, ORTIZ, WALKER, PEOPLES-STOKES, COLTON, DE LA ROSA, WRIGHT, BARRON, GOTTFRIED, OTIS, ENGLEBRIGHT, MOSLEY, GLICK, BURKE, CRUZ, EPSTEIN, FALL, FRONTUS, GRIFFIN, JACOBSON, McMAHON, RAYNOR, REYES, ROMEO, THIELE, WEINSTEIN -- Multi-Sponsored by -- M. of A. BUCHWALD, LENTOL -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to early voting

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

Section 1. Section 3-400 of the election law is amended by adding a 1 new subdivision 9 to read as follows: 2 9. Notwithstanding any inconsistent provisions of this article, 3 election inspectors or poll clerks, if any, at polling places for early 4 5 voting, shall consist of either board of elections employees who shall б be appointed by the commissioners of such board or duly qualified indi-7 viduals, appointed in the manner set forth in this section. Appointments 8 to the offices of election inspector or poll clerk in each polling place for early voting shall be equally divided between the major political 9 parties. The board of elections shall assign staff and provide resources 10

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

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1	to ensure a voter's wait time to vote at an early voting site shall not
2	exceed thirty minutes.
3	§ 2. Section 4-117 of the election law is amended by adding a new
4	subdivision 1-a to read as follows:
5	1-a. The notice required by subdivision one of this section shall
б	include the dates, hours and locations of early voting for the general
7	and primary election. The board of elections may alternatively satisfy
8	the notice requirement of this subdivision by providing in the notice
9	instructions to obtain the required early voting information by means of
10	a website and phone number of the board of elections.
11	§ 3. Paragraph (b) of subdivision 1 and subdivision 2 of section 8-100
12	of the election law, paragraph (b) of subdivision 1 as added by chapter
13	373 of the laws of 1978 and subdivision 2 as amended by chapter 367 of
14	the laws of 2017, are amended to read as follows:
15	(b) In the event a run-off primary election is required in the city of
16	New York, it shall be held on the [second] fourth Tuesday next succeed-
$10 \\ 17$	ing the date on which the initial primary election was held.
	2. Polls shall be open for voting during the following hours: a prima-
18	ry election from twelve o'clock noon until nine o'clock in the evening,
19	-
20	except in the city of New York and the counties of Nassau, Suffolk,
21	Westchester, Rockland, Orange, Putnam, Dutchess and Erie, and in such
22	city or county from six o'clock in the morning until nine o'clock in the
23	evening; the general election from six o'clock in the morning until nine
24	o'clock in the evening; a special election called by the governor pursu-
25	ant to the public officers law, and, except as otherwise provided by
26	law, every other election, from six o'clock in the morning until nine
27	o'clock in the evening. Early voting times shall be as provided in
28	section 8-600 of this article.
29	§ 4. Subdivision 1 of section 8-102 of the election law is amended by
30	adding a new paragraph (k) to read as follows:
31	(k) Voting at each polling place for early voting shall be conducted
32	in a manner consistent with the provisions of this article, with the
33	exception of the tabulation and proclamation of election results which
34	shall be completed according to subdivisions eight and nine of section
35	8-600 of this article.
36	§ 5. Section 8-104 of the election law is amended by adding a new
37	subdivision 7 to read as follows:
38	7. This section shall apply on all early voting days as provided for
39	in section 8-600 of this article.
40	
41	§ 6. Subparagraph (ii) of paragraph (e) of subdivision 3 and subdivi-
	sion 3-a of section 8-302 of the election law, subparagraph (ii) of
42	sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of
43	sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985,
43 44	sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows:
43 44 45	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (ii) He or she may swear to and subscribe an affidavit stating that he</pre>
43 44 45 46	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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</pre>
43 44 45 46 47	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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</pre>
43 44 45 46 47 48	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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</pre>
43 44 45 46 47 48 49	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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</pre>
43 44 45 46 47 48 49 50	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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</pre>
43 44 45 46 47 48 49 50 51	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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 <u>or such record indicates the voter already voted when</u></pre>
43 44 45 46 47 48 49 50 51 52	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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 the county or </pre>
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43 44 45 46 47 48 49 50 51 52 53 54	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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 the county or city since he or she last registered, the address at which he or she currently</pre>
43 44 45 46 47 48 49 50 51 52 53 54 55	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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 <u>or such record indicates the voter already voted when</u> <u>he or she did not do so</u> or that he or she has moved within the county or city 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</pre>
43 44 45 46 47 48 49 50 51 52 53 54	<pre>sion 3-a of section 8-302 of the election law, subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010 and subdivision 3-a as amended by chapter 511 of the laws of 1985, are amended to read as follows: (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 the county or city since he or she last registered, the address at which he or she currently</pre>

1 each such voter whose residence address is in such election district. 2 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 3 for an absentee ballot envelope, and shall contain an acknowledgment 4 5 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 б 7 8 voter should the county board determine that such voter is not regis-9 tered and shall constitute an application to register to vote. The 10 voter's name and the entries required shall then be entered without 11 delay and without further inquiry in the fourth section of the challenge report or in the place provided at the end of the computer generated 12 13 registration list, with the notation that the voter has executed the 14 affidavit hereinabove prescribed, or, if such person's name appears on 15 the computer generated registration list, the board of elections may 16 provide a place to make such entry next to his or her name on such list. 17 The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall there-18 19 upon be placed in the envelope containing his or her affidavit, and the 20 envelope sealed and returned to the board of elections in the manner 21 provided by this chapter for protested official ballots, including a statement of the number of such ballots. 22 23 3-a. The inspectors shall also give to every person whose address is

24 in such election district for whom no registration poll record can be 25 found and, in a primary election, to every voter whose registration poll 26 record does not show him to be enrolled in the party in which he wishes 27 to be enrolled or who claims to be incorrectly identified as having already voted, a copy of a notice, in a form prescribed by the state 28 board of elections, advising such person of his right to, and of the 29 procedures by which he may, cast an affidavit ballot or seek a court 30 31 order permitting him to vote, and shall also give every such person who does not cast an affidavit ballot, an application for registration by 32 33 mail.

34 § 7. Paragraph (b) of subdivision 2 of section 8-508 of the election 35 law, as amended by chapter 200 of the laws of 1996, is amended to read 36 as follows:

37 (b) The second section of such report shall be reserved for the board 38 of inspectors to enter the name, address and registration serial number of each person who is challenged [on the day of election] at the time of 39 **voting** together with the reason for the challenge. 40 If no voters are 41 challenged, the board of inspectors shall enter the words "No Challenges" across the space reserved for such names. In lieu of preparing 42 43 section two of the challenge report, the board of elections may provide, 44 next to the name of each voter on the computer generated registration 45 list, a place for the inspectors of election to record the information 46 required to be entered in such section two, or provide at the end of 47 such computer generated registration list, a place for the inspectors of election to enter such information. 48

49 § 8. Article 8 of the election law is amended by adding a new title 6 50 to read as follows:

51			<u>TITLE VI</u>					
52		EA	RLY VOTING					
53	Section 8-600. Early voting.							
54	8-602. State board	of	elections;	powers	and	duties	for	early
55	voting.							

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1	§ 8-600. Early voting. 1. Beginning the tenth day prior to any gener-
2	al, primary, run-off primary pursuant to subdivision one of section
3	6-162 of this chapter or special election for any public or party posi-
4	tion except for such an election held pursuant to title two of article
5	six or article fifteen of this chapter, and ending on and including the
б	second day prior to such general, primary, run-off primary or special
7	election for such public office or party position, persons duly regis-
8	tered and eligible to vote at such election shall be permitted to vote
9	as provided in this title. The board of elections shall establish
10	procedures, subject to approval of the state board of elections, to
11	ensure that persons who vote during the early voting period shall not be
12	permitted to vote subsequently in the same election.
13	2. (a) The board of elections shall designate polling places for early
14	voting, which may include the offices of the board of elections, for
15	persons to vote early pursuant to this title. There shall be so desig-
16	nated at least one early voting polling place for every full increment
17	of fifty thousand registered voters in each county; provided, however,
18	the number of early voting polling places in a county shall not be
19	required to be greater than seven, and a county with fewer than fifty
20	thousand voters shall have at least one early voting polling place.
21	(b) The board of elections of each county or the city of New York may
22	establish additional polling places for early voting in excess of the
23	minimum number required by this subdivision for the convenience of
24	eligible voters.
25	(c) Notwithstanding the minimum number of early voting poll sites
26	otherwise required by this subdivision, for any primary or special
	election, upon majority vote of the board of elections, the number of
27 20	early voting sites may be reduced when the board of elections determines
28	
29	a lesser number of sites is sufficient to meet the needs of early
30	voters.
31	(d) Polling places for early voting shall be located so that voters in
32	the county have adequate and equitable access, taking into consideration
33	population density, travel time to the polling place, proximity to other
34	early voting poll sites , public transportation routes, commuter traffic
35	patterns and such other factors the board of elections deems appropri-
36	ate. The provisions of section 4-104 of this chapter, except subdivi-
37	
28	sions four and five of such section, shall apply to the designation of
38	polling places for early voting except to the extent such provisions are
39	polling places for early voting except to the extent such provisions are inconsistent with this section.
39 40	<pre>polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab-</pre>
39 40 41	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where
39 40 41 42	<pre>polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti-</pre>
39 40 41 42 43	<pre>polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election</pre>
39 40 41 42 43 44	<pre>polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes</pre>
39 40 41 42 43 44 45	<pre>polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such</pre>
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39 40 41 42 43 44 45 46 47 48	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout
39 40 41 42 43 44 45 46 47	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of
39 40 41 42 43 44 45 46 47 48	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of elections does not agree by majority vote to plan to assign election
39 40 41 42 43 44 45 46 47 48 49	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of
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39 40 41 42 43 44 45 46 47 48 49 50 51	polling places for early voting except to the extent such provisions are inconsistent with this section. 3. Any voter may vote at any polling place for early voting estab- lished pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impracti- cal to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of elections does not agree by majority vote to plan to assign election districts to early voting poll sites, all voters in the county must be

55 each week day during the early voting period.

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 (b) At least one polling place for early voting until eight o'clock in the evening on at least tw calendar week during the early voting period. If r early voting are limited to voters from certain areas vision three of this section, polling places that eight o'clock shall be designated such that any perso days during the early voting period. (c) Polls shall be open for early voting for at between nine o'clock in the morning and six o'cloc each Saturday. Sunday and lead holiday during the early of elections from establishing a greater number during the early voting period. (d) Nothing in this section shall be construed to r of elections from establishing a greater number of this subdivision. (e) Early voting polling places and their hours of voting at a general election shall be designated H year pursuant to subdivision one of section 4-104 Notwithstanding the provisions of subdivision one this chapter early voting polling places and their f for early voting for: (i) a primary or special ele not later than forty-five days before such primary or and (ii) a run-off primary pursuant to subdivision of digible voters of the opportunity to vote early. Si any and all media outlets, including social media, ar the location and dates and hours of operation of all early voting serving the voters of each particular yoting the provision si each particular so there of this section the location dial early voting serving the voters of each particular political subdivision. f. Fach board of election shall courter tha if early voting serving the voters of each particular goin three of this section day and such ball to voters with physical disabilities; a clear and ur voting by paper ballot on election day and su	wo week days in each polling places for s pursuant to subdi- at remain open until on entitled to vote
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of polls on election day when such ballots shall be examined and 1 2 canvassed in a manner consistent with subdivision two of section 9-110 3 of this chapter. 4 9. The board of elections shall secure all ballots and scanners used 5 for early voting from the beginning of the early voting period through б the close of the polls on election day; provided, however, the state 7 board of elections may by regulation duly adopted by a majority of such 8 board establish a procedure whereby ballot scanners used for early 9 voting may also be used on election day if the portable memory devices 10 used during early voting containing the early voting election informa-11 tion and vote tabulations are properly secured apart from the scanners, and the results therefrom shall be duly canvassed after the close of 12 polls on election day. 13 14 10. After the close of polls on election day, inspectors or board of 15 elections employees appointed to canvass ballots cast during early 16 voting shall follow all relevant provisions of article nine of this 17 chapter that are not inconsistent with this section, for canvassing, processing, recording, and announcing results of voting at polling plac-18 19 es for early voting, and securing ballots, scanners, and other election 20 materials. Such canvass may occur at the offices of the board of 21 elections, at the early voting polling place or such other location 22 designated by the board of elections. 11. Notwithstanding the requirements of this title requiring the 23 24 canvass of ballots cast during early voting after the close of polls on 25 election day, such canvass may begin one hour before the scheduled close 26 of polls on election day provided the board of elections adopts proce-27 dures to prevent the public release of election results prior to the close of polls on election day and such procedures shall be consistent 28 29 with the regulations of the state board of elections and shall be filed 30 with the state board of elections at least thirty days before they shall 31 be effective. 32 § 8-602. State board of elections; powers and duties for early voting. 33 The state board of elections shall promulgate rules or regulations necessary for the implementation of the provisions of this title. Such 34 35 rules and regulations shall include, but not be limited to, provisions 36 to (i) ensure that ballots cast early, by any method allowed under law, 37 are counted and canvassed as if cast on election day, (ii) ensure an 38 efficient and fair early voting process that respects the privacy of the 39 voter, and (iii) require that the voting history record for each voter 40 be continually updated to reflect each instance of early voting by such 41 voter. 42 § 9. The opening paragraph of section 9-209 of the election law, as amended by chapter 163 of the laws of 2010, is amended to read as 43 44 follows: 45 Before completing the canvass of votes cast in any primary, general, 46 special, or other election at which voters are required to sign their registration poll records before voting, the board of elections shall 47 proceed in the manner hereinafter prescribed to cast and canvass any 48 absentee, military, special presidential, special federal or other 49 special ballots and any ballots voted by voters who moved within the 50 51 county or city after registering, voters who are in inactive status, 52 voters whose registration was incorrectly transferred to another address 53 even though they did not move, voters whose registration poll records 54 were missing on the day of such election, voters who have not had their 55 identity previously verified and voters whose registration poll records 56 did not show them to be enrolled in the party in which they claimed to

1	be enrolled and voters incorrectly identified as having already voted.
2	Each such ballot shall be retained in the original envelope containing
3	the voter's affidavit and signature, in which it is delivered to the
4	board of elections until such time as it is to be cast and canvassed.
5	§ 10. This act shall take effect immediately; provided, however that
6	early voting pursuant to the provisions of this act shall first apply to
7	the general election held in November 2019, and to any general, primary,
8	run-off primary or special election held thereafter as provided for in
9	the election law.

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