

# STATE OF NEW YORK

108

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. KAMINSKY -- 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 primary and secondary schools being used as polling places

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

1 Section 1. Subdivision 1 of section 4-104 of the election law, as  
2 amended by chapter 180 of the laws of 2005, is amended to read as  
3 follows:  
4 1. Every board of elections shall, in consultation with each city,  
5 town and village, designate the polling places in each election district  
6 in which the meetings for the registration of voters, and for any  
7 election may be held. The board of trustees of each village in which  
8 general and special village elections conducted by the board of  
9 elections are held at a time other than the time of a general election  
10 shall submit such a list of polling places for such village elections to  
11 the board of elections. A polling place may be located in a building  
12 owned by a religious organization or used by it as a place of worship.  
13 If such a building is designated as a polling place, it shall not be  
14 required to be open for voter registration on any Saturday if this is  
15 contrary to the religious beliefs of the religious organization. In such  
16 a situation, the board of elections shall designate an alternate  
17 location to be used for voter registration. A polling place may be  
18 located in a building utilized for primary or secondary school instruc-  
19 tion. If such a building is designated as a polling place, it shall not  
20 be required to be open for voter registration or as a polling place if  
21 the school is in session and minors are scheduled to be present on such  
22 day. In such a situation, the board of elections shall designate an  
23 alternate location to be used for voter registration and as a polling  
24 place. Such polling places must be designated by May first, of each

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

LBD03411-01-9

1 year, and shall be effective for one year thereafter. Such a list  
2 required to be submitted by a village board of trustees must be submit-  
3 ted at least four months before each general village election and shall  
4 be effective until four months before the subsequent general village  
5 election. No place in which a business licensed to sell alcoholic bever-  
6 ages for on premises consumption is conducted on any day of local regis-  
7 tration or of voting shall be so designated. If, within the discretion  
8 of the board of elections a particular polling place so designated is  
9 subsequently found to be unsuitable or unsafe or should circumstances  
10 arise that make a designated polling place unsuitable or unsafe, then  
11 the board of elections is empowered to select an alternative meeting  
12 place. In the city of New York, the board of elections shall designate  
13 such polling places and alternate registration places if the polling  
14 place cannot be used for voter registration on Saturdays.

15 § 2. This act shall take effect immediately.