

STATE OF NEW YORK

7627

IN SENATE

February 3, 2020

Introduced by Sen. MYRIE -- 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 ensuring that voting systems testing requirements do not make it impractical to provide each polling place for early voting all of the election district ballots

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

1 Section 1. Subdivisions 2 and 3 of section 8-600 of the election law,
2 as added by chapter 6 of the laws of 2019, are amended to read as
3 follows:

4 2. (a) The board of elections shall designate polling places for early
5 voting, which may include the offices of the board of elections, for
6 persons to vote early pursuant to this title. There shall be so desig-
7 nated at least one early voting polling place for every full increment
8 of fifty thousand registered voters in each county; provided, however,
9 ~~[the number of early voting polling places in a county shall not be~~
10 ~~required to be greater than seven, and]~~ a county with fewer than fifty
11 thousand voters shall have at least one early voting polling place.

12 (b) The board of elections of each county or the city of New York may
13 establish additional polling places for early voting in excess of the
14 minimum number required by this subdivision for the convenience of
15 eligible voters.

16 (c) Notwithstanding the minimum number of early voting poll sites
17 otherwise required by this subdivision, for any ~~[primary or]~~ special
18 election, upon majority vote of the board of elections, the number of
19 early voting sites may be reduced when the board of elections determines
20 a lesser number of sites is sufficient to meet the needs of early
21 voters.

22 (d) Polling places for early voting shall be located so that voters in
23 the county have adequate and equitable access, taking into consideration
24 population density, travel time to the polling place, proximity to other
25 early voting poll sites, public transportation routes, commuter traffic
26 patterns and such other factors the board of elections deems appropri-

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

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1 ate. The provisions of section 4-104 of this chapter, except subdivi-
2 sions four and five of such section, shall apply to the designation of
3 polling places for early voting except to the extent such provisions are
4 inconsistent with this section.

5 3. Any voter may vote at any polling place for early voting estab-
6 lished pursuant to subdivision two of this section in the county where
7 such voter is registered to vote; provided, however, if it is impracti-
8 cal to provide each polling place for early voting all of the election
9 district ballots ~~[or if early voting at any such polling place makes~~
10 ~~ensuring that no voter has not previously voted early during such~~
11 ~~election]~~, the board of elections may assign election districts to a
12 particular early voting poll site. All voters in each county shall have
13 one or more polling places at which they are eligible to vote throughout
14 the early voting period on a substantially equal basis. If the board of
15 elections does not agree by majority vote to plan to assign election
16 districts to early voting poll sites, all voters in the county must be
17 able to vote at any poll site for early voting in the county.

18 § 2. Section 8-602 of the election law, as added by chapter 6 of the
19 laws of 2019, is amended to read as follows:

20 § 8-602. State board of elections; powers and duties for early voting.
21 The state board of elections shall promulgate rules or regulations
22 necessary for the implementation of the provisions of this title. Such
23 rules and regulations shall include, but not be limited to, provisions
24 to: (i) ensure that ballots cast early, by any method allowed under law,
25 are counted and canvassed as if cast on election day~~[,]~~; (ii) ensure an
26 efficient and fair early voting process that respects the privacy of the
27 voter~~[, and]~~; (iii) require that the voting history record for each
28 voter be continually updated to reflect each instance of early voting by
29 such voter; and (iv) ensure that voting systems testing requirements do
30 not make it impractical to provide each polling place for early voting
31 all of the election district ballots.

32 § 3. This act shall take effect on the ninetieth day after it shall
33 have become a law and shall apply to any general, primary, run-off
34 primary or special election held thereafter as provided for in the
35 election law.