STATE OF NEW YORK

8015--D

IN SENATE

March 9, 2020

Introduced by Sens. BIAGGI, ADDABBO, BROOKS, CARLUCCI, COMRIE, GAUGHRAN, GIANARIS, GOUNARDES, HARCKHAM, HOYLMAN, JACKSON, KAMINSKY, KAPLAN, KENNEDY, KRUEGER, MAY, MAYER, METZGER, MYRIE, PERSAUD, RAMOS, RIVERA, SAVINO, SEPULVEDA, SERRANO, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to absentee voting; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subdivision 1 of section 8-400 of the election law, as amended by chapter 63 of the laws of 2010, paragraph (c) as amended by chapter 375 of the laws of 2015, is amended to read as follows:

1. A qualified voter may vote as an absentee voter under this chapter if, on the occurrence of any village election conducted by the board of elections, primary election, special election, general election or New York city community school board district or city of Buffalo school district election, he or she expects to be:

(a) absent from the county of his or her residence, or, if a resident of the city of New York absent from said city; or

(b) unable to appear personally at the polling place of the election district in which he or she is a qualified voter because of illness or physical disability or duties related to the primary care of one or more individuals who are ill or physically disabled, or because he or she will be or is a patient in a hospital**, provided that, for purposes of this paragraph, "illness" shall include, but not be limited to, instances where a voter is unable to appear personally at the polling place of the election district in which they are a qualified voter**

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

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because there is a risk of contracting or spreading a disease that may cause illness to the voter or to other members of the public; or

(c) a resident or patient of a veterans health administration hospital; or

(d) absent from his or her voting residence because he or she is detained in jail awaiting action by a grand jury or awaiting trial, or confined in jail or prison after a conviction for an offense other than a felony, provided that he or she is qualified to vote in the election district of his or her residence.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2022.