

# STATE OF NEW YORK

8783

## IN SENATE

July 15, 2020

Introduced by Sen. MYRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the election law, in relation to requests for absentee ballots

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

1 Section 1. Paragraph (d) of subdivision 2 of section 8-400 of the  
2 election law, as amended by chapter 91 of the laws of 2020, is amended  
3 to read as follows:

4 (d) The board of elections shall mail an absentee ballot to every  
5 qualified voter otherwise eligible for such a ballot, when such voter  
6 requests an absentee ballot from such board of elections in writing in a  
7 letter, telefax indicating the address, phone number and the telefax  
8 number from which the writing is sent or other written instrument, or an  
9 electronic application submitted by the voter by electronic mail or  
10 through an electronic transmittal system or web portal established by  
11 the state board of elections or city or county board of elections, which  
12 is received by the board of elections not [~~earlier than the thirtieth~~  
13 ~~day nor~~] later than the seventh day before the election for which the  
14 ballot is first requested and which states the address where the voter  
15 is registered and the address to which the ballot is to be mailed;  
16 provided, however, a military voter may request a military ballot or  
17 voter registration application or an absentee ballot application in a  
18 letter as provided in subdivision three of section 10-106 of this chap-  
19 ter; and provided further, a special federal voter may request a special  
20 federal ballot or voter registration application or an absentee ballot  
21 application in a letter as provided in paragraph d of subdivision one of  
22 section 11-202 of this chapter. The board of elections shall enclose  
23 with such ballot a form of application for absentee ballot if the appli-  
24 cant is registered with such board of elections.

25 § 2. Paragraph (d) of subdivision 2 of section 8-400 of the election  
26 law, as separately amended by chapters 97 and 104 of the laws of 2010,  
27 is amended to read as follows:

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

LBD16935-03-0

1 (d) The board of elections shall mail an absentee ballot to every  
2 qualified voter otherwise eligible for such a ballot, who requests such  
3 an absentee ballot from such board of elections in writing in a letter,  
4 telefax indicating the address, phone number and the telefax number from  
5 which the writing is sent or other written instrument, which is signed  
6 by the voter and received by the board of elections not [~~earlier than~~  
7 ~~the thirtieth day nor~~] later than the seventh day before the election  
8 for which the ballot is first requested and which states the address  
9 where the voter is registered and the address to which the ballot is to  
10 be mailed; provided, however, a military voter may request a military  
11 ballot or voter registration application or an absentee ballot applica-  
12 tion in a letter as provided in subdivision three of section 10-106 of  
13 this chapter; and provided further, a special federal voter may request  
14 a special federal ballot or voter registration application or an absen-  
15 tee ballot application in a letter as provided in paragraph d of subdivi-  
16 sion one of section 11-202 of this chapter. The board of elections  
17 shall enclose with such ballot a form of application for absentee ballot  
18 if the applicant is registered with such board of elections.

19 § 3. This act shall take effect immediately; provided, however, that  
20 the amendments to paragraph (d) of subdivision 2 of section 8-400 of the  
21 election law made by section one of this act shall be subject to the  
22 expiration and reversion of such paragraph pursuant to section 7 of  
23 chapter 91 of the laws of 2020, when upon such date the provisions of  
24 section two of this act shall take effect.