

STATE OF NEW YORK

8949

IN SENATE

August 31, 2020

Introduced by Sen. SEPULVEDA -- 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 establishing a website and mobile application that allows voters to view the status of their absentee ballot applications and absentee ballots

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

1 Section 1. Section 8-406 of the election law, as amended by chapter
2 296 of the laws of 1988, is amended to read as follows:

3 § 8-406. Absentee ballots, delivery of. 1. If the board shall find
4 that the applicant is a qualified voter of the election district
5 containing his residence as stated in his statement and that his state-
6 ment is sufficient, it shall, as soon as practicable after it shall have
7 determined his right thereto, mail to him at an address designated by
8 him, or deliver to him, or to any person designated for such purpose in
9 writing by him, at the office of the board, such an absentee voter's
10 ballot or set of ballots and an envelope therefor. If the ballot or
11 ballots are to be sent outside of the United States to a country other
12 than Canada or Mexico, such ballot or ballots shall be sent by air mail.
13 However, if an applicant who is eligible for an absentee ballot is a
14 resident of a facility operated or licensed by, or under the jurisdic-
15 tion of, the department of mental hygiene, or a resident of a facility
16 defined as a nursing home or residential health care facility pursuant
17 to subdivisions two and three of section two thousand eight hundred one
18 of the public health law, or a resident of a hospital or other facility
19 operated by the [~~Veteran's~~] Veterans Health Administration of the United
20 States, such absentee ballot need not be so mailed or delivered to any
21 such applicant but, may be delivered to the voter in the manner
22 prescribed by section 8-407 of this [~~chapter~~] title if such facility is
23 located in the county or city in which such voter is eligible to vote.

24 2. Notwithstanding any provision of law to the contrary, the board of
25 elections shall establish a secure website and mobile application that
26 shall not require the user to create an account, but shall, through
27 methods determined by the board, require verification that the user is

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

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1 accessing his or her own record. The information presented in such
2 website and mobile application shall be updated with any applicable
3 changes no less frequently than daily. Such website and mobile applica-
4 tion shall include, but not be limited to, allowing any registered voter
5 who has submitted an application for an absentee ballot, or who other-
6 wise has a right to receive an absentee ballot, for an upcoming election
7 pursuant to this title to view the current status of their absentee
8 application and absentee ballot. Such website and mobile application
9 shall indicate for each such voter whether the board of elections has:

10 (a) received such voter's request for an absentee ballot, if applica-
11 ble;

12 (b) approved or rejected such request, if applicable, and, if
13 rejected, a brief statement of the reason for rejection;

14 (c) mailed or delivered an absentee ballot to such voter for such
15 upcoming election, and shall include the ability for such voter to see
16 the status of a mailed absentee ballot by United States postal service
17 intelligent mail barcode or successor technology;

18 (d) received such voter's completed absentee ballot for such upcoming
19 election; and

20 (e) determined that such voter's completed absentee ballot was inval-
21 id, and, if such a finding was made, a brief statement of the reason for
22 such finding.

23 § 2. This act shall take effect on the ninetieth day after it shall
24 have become a law.