STATE OF NEW YORK

4186--B

Cal. No. 253

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. DINOWITZ, SIMON, THIELE, GALEF, JACOBSON, OTIS, BARNWELL -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the election law, in relation to providing an online absentee ballot tracking system

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

Section 1. The election law is amended by adding a new section 8-414 to read as follows:

§ 8-414. Online absentee ballot tracking system. 1. The state board of elections shall establish and maintain an electronic absentee ballot tracking system. In accordance with technical specifications provided by the state board of elections, each local board of elections shall maintain an absentee ballot tracking system integrated with the state board's system, and which may be integrated with the United States postal service tracking system, to allow a voter who has submitted an application for an absentee ballot to track the status of an absentee application and an absentee ballot on the state board or local board website.

2. Such website shall not require users to create an account but shall require verification that the user is accessing his or her own record through the inclusion of data identifying the voter and the board of elections at which the voter is registered, and any other information required by the state board of elections.

3. The ballot tracking system shall indicate to the voter if the board:

(a) received such voter's application for an absentee ballot;

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

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(b) approved or rejected such application and, if rejected, an indication of the reason for such rejection;

(c) mailed or delivered an absentee ballot to such voter, the date of such mailing or delivery, and the expected date of receipt;

(d) received the ballot back as undeliverable;

(e) received such voter's completed absentee ballot;

(f) determined the ballot envelope was subject to a cure; and

(g) counted or rejected such voter's completed absentee ballot and, if rejected, a brief statement of the reason for rejection.

§ 2. Nothing in section one of this act shall prevent a county board of elections or the board of elections of the city of New York from establishing a ballot tracking system prior to the effective date of this act, provided, however, upon the establishment of the statewide system required by section one of this act, all local ballot tracking systems shall comply with section one of this act and be fully integrated with the statewide system. Full integration with the statewide system may be accomplished by boards of elections using their own ballot tracking system by providing data to the state board of elections, in the form and at intervals prescribed by the state board of elections, provided that voters can access their tracking information in a secure, user-friendly format approved by the state board of elections.

§ 3. This act shall take effect January 1, 2022. Effective immediately, the state board of elections shall be authorized to promulgate any rules or regulations required to carry out the provisions of this act prior to such effective date.