STATE OF NEW YORK

4257--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to providing for online and in-person instruction and examination of election inspectors, poll clerks and election coordinators

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

Section 1. Subdivisions 1, 3 and 5 of section 3-412 of the election law, subdivisions 1 and 3 as amended by chapter 180 of the laws of 2005, and subdivision 5 as added by chapter 510 of the laws of 1985, are amended to read as follows:

1. Each board of elections shall, at least once every year, conduct a mandatory school for the instruction of election inspectors, poll clerks and election coordinators. [~~They~~] **Such instruction may be given in person or online, provided that online instruction shall be offered over a two week period that includes the date for in-person instruction. Certain online participants may be required to supplement online instruction with in-person instruction that includes the use of voting machines or other matters requiring specialized training. Written notice** shall be given [~~written notice~~] **to participants** stating the time and place at which such [~~school or schools~~] **in-person instruction** shall be held**, the option to obtain instruction online with direction on how to access the online option, and identifying the participants that must attend in-person instruction in addition to online instruction**.

3. Election inspectors, poll clerks and election coordinators as required by this section shall, upon their original designation, and every year thereafter, complete a course of instruction, and, before certification, pass an examination thereon. **Such examination shall be given both online and in person, provided that those participants whose instructions include the use of voting machines or other matters requir-**

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

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ing specialized training may be required to pass an examination on such matters in person. The state board of elections shall supply each board of elections with instructional material to be used in the preparation for such examinations and shall give each such board of elections uniform directions for the conduct of such examinations, which[~~,~~] it shall be the duty of the board to follow. Every such board may utilize additional materials selected by it in the course of instruction. No person taking such examination shall be permitted to know the questions or answers in advance or be given access to the answers during the examination. If such inspectors [~~or~~]**, poll** clerks **or coordinators** pass such examination, the board of elections shall certify the designated election inspector [~~or~~]**,** poll clerk **or coordinator**.

5. Each board of elections shall reproduce a booklet of instructions for [~~inspectors~~] **participants** prepared by the state board of elections. A copy of such booklet**, or digital version,** shall be given to each [~~inspector~~] **participant** at the time such [~~inspector~~] **participant** attends the course of instruction. At least one copy of such booklet shall be included with the supplies sent to each election district for each election and day of local registration.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.