

STATE OF NEW YORK

4569

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. McDONOUGH -- read once and referred to the
Committee on Election Law

AN ACT to amend the election law, in relation to the mailing or delivery
of absentee ballots

The People of the State of New York, represented in Senate and Assem-
bly, 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. If the board shall find that
4 the applicant is a qualified voter of the election district containing
5 his or her residence as stated in his or her statement and that his or
6 her statement is sufficient, it shall, as soon as practicable after it
7 shall have determined his right thereto, mail to him or her at an
8 address designated by him or her, or deliver to him or her, or to any
9 person designated for such purpose in writing by him or her, at the
10 office of the board, such an absentee voter's ballot or set of ballots
11 and an envelope therefor. If the ballot or ballots are to be sent
12 outside of the United States to a country other than Canada or Mexico,
13 such ballot or ballots shall be sent by air mail. However, if an appli-
14 cant who is eligible for an absentee ballot is a resident of a facility
15 operated or licensed by, or under the jurisdiction of, the department of
16 mental hygiene, or a resident of a facility defined as a nursing home or
17 residential health care facility pursuant to subdivisions two and three
18 of section two thousand eight hundred one of the public health law, or a
19 resident of a hospital or other facility operated by the Veteran's
20 Administration of the United States, such absentee ballot need not be so
21 mailed or delivered to any such applicant but, may be delivered to the
22 voter in the manner prescribed by section 8-407 of this chapter if such
23 facility is located in the county or city in which such voter is eligi-
24 ble to vote. No absentee ballot shall be mailed or delivered to a voter
25 unless such voter specifically requests to receive an absentee ballot.

26 § 2. This act shall take effect immediately.

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

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