STATE OF NEW YORK

6046

2021-2022 Regular Sessions

IN ASSEMBLY

March 5, 2021

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

AN ACT to amend the election law, in relation to electronic applications for absentee ballots; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Paragraph (d) of subdivision 2 of section 8-400 of the election law, as separately amended by chapters 97 and 104 of the laws of 2010, is amended to read as follows:

(d) The board of elections shall mail an absentee ballot to every qualified voter otherwise eligible for such a ballot, [~~who~~] **when such voter** requests [~~such~~] an absentee ballot from such board of elections in writing in a letter, telefax indicating the address, phone number and the telefax number from which the writing is sent or other written instrument, **or an electronic application submitted by the voter by electronic mail or through an electronic transmittal system or web portal established by the state board of elections or city or county board of elections,** which is [~~signed by the voter and~~] received by the board of elections not earlier than the thirtieth day nor later than the seventh day before the election for which the ballot is first requested and which states the address where the voter is registered and the address to which the ballot is to be mailed; provided, however, a military voter may request a military ballot or voter registration application or an absentee ballot application in a letter as provided in subdivision three of section 10-106 of this chapter; and provided further, a special federal voter may request a special federal ballot or voter registration application or an absentee ballot application in a letter as provided in paragraph d of subdivision one of section 11-202 of this chapter. The board of elections shall enclose with such ballot a form of application

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

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for absentee ballot if the applicant is registered with such board of elections.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on December 31, 2021.