

STATE OF NEW YORK

780

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

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

AN ACT to amend the election law, in relation to the canvass of absentee ballots as they are received

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

1 Section 1. Subdivision 1 of section 9-209 of the election law, as
2 amended by chapter 104 of the laws of 2010, is amended to read as
3 follows:

4 1. (a) The board of elections shall designate itself or such of its
5 employees as it shall deem appropriate as a set of poll clerks to cast
6 and canvass such ballots~~[, and fix a time and place for their meeting~~
7 ~~for such purpose, provided that such meeting shall be no more than four-~~
8 ~~teen days after a general or special election and no more than eight~~
9 ~~days after a primary election at which such ballots are voted]~~ imme-
10 diately as they are received. The board may designate additional sets of
11 poll clerks and if it designates more than one such set shall apportion
12 among all such sets the election districts from which such ballots have
13 been received, provided that all such ballots from a single election
14 district shall be assigned to a single set of clerks, and that each such
15 set shall be divided equally between representatives of the two major
16 political parties. Each such set of clerks shall be deemed a central
17 board of inspectors for purposes of this section.

18 (b) ~~[At least five days prior to the time fixed for such meeting]~~
19 Prior to the board of elections receiving such ballots, the board shall
20 send notice by first class mail to each candidate, political party, and
21 independent body entitled to have had watchers present at the polls in
22 any election district in the board's jurisdiction. Such notice shall
23 state the time and place fixed by the board for when such canvass shall
24 begin.

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

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1 (c) Each such candidate, political party, and independent body shall
2 be entitled to appoint such number of watchers to attend upon each
3 central board of inspectors as such candidate, political party, or inde-
4 pendent body was entitled to appoint at such election in any one
5 election district for which such central board of inspectors is desig-
6 nated to act.

7 § 2. The opening paragraph of subparagraph (i) of paragraph (a) of
8 subdivision 2 of section 9-209 of the election law, as amended by chap-
9 ter 308 of the laws of 2011, is amended to read as follows:

10 Upon assembling at the time and place fixed for [~~such meeting~~] the
11 canvass of such ballots, each central board of inspectors shall examine,
12 cast, and canvass the envelopes and the ballots therein contained as
13 nearly as practicable in the following manner:

14 § 3. This act shall take effect immediately.