STATE OF NEW YORK

284--C

Cal. No. 2

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. MYRIE, BIAGGI, BROUK, GOUNARDES, JACKSON, LIU, MAY, REICHLIN-MELNICK, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- repassed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the election law, in relation to counting of affidavit ballots

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

Section 1. Paragraph (d) of subdivision 7 of section 9-209 of the election law, as added by chapter 763 of the laws of 2021, is amended to read as follows:

(d) If the central board of canvassers determines that a person was entitled to vote at such election, the board shall cast and canvass such affidavit ballot if such board finds that the voter appeared at [~~the correct~~] **a** polling place**, in the correct county, which is designated as a polling place for the correct assembly district**, regardless of the fact that the voter may have appeared in the incorrect election district **or polling place,** and regardless of whether the voter's name was in the registration poll record**; provided, however, that in the event such ballot includes one or more offices for which such person is not enti-**

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

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tled to vote at such election, such ballot shall only be cast and canvassed for the offices for which such person is entitled to vote at such election.

§ 2. This act shall take effect January 1, 2023.