

# STATE OF NEW YORK

286--A

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. MYRIE, BIAGGI, BROOKS, HOYLMAN -- 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

AN ACT to amend the election law, in relation to availability of electronic ballot images

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

1 Section 1. Subdivision 1 of section 3-222 of the election law, as  
2 amended by chapter 169 of the laws of 2011, is amended to read as  
3 follows:

4 1. Except as hereinafter provided, removable memory cards or other  
5 similar electronic media shall remain sealed against reuse until such  
6 time as the information stored on such media has been preserved in a  
7 manner consistent with procedures developed and distributed by the state  
8 board of elections. Provided, however, that: (i) the information stored  
9 on such memory card or other similar electronic media and all the data  
10 and figures therein may be examined upon the order of any court or judge  
11 of competent jurisdiction or may be examined at the direction of a  
12 committee of the senate or assembly to investigate and report upon  
13 contested elections of members of the legislature voted for by the use  
14 of voting machines utilizing such electronic media and such data and  
15 such figures examined by such committee in the presence of the officer  
16 having the custody of voting machines and electronic media; and (ii) the  
17 electronically rendered image of each cast ballot produced by each  
18 ballot scanner used at an election and the cast vote record that shows  
19 how the ballot image was interpreted shall be copied from the memory  
20 cards or other similar electronic media by the board of elections no  
21 later than one week after such election, and such copied electronic  
22 images of cast ballots and the cast vote records shall be public records  
23 of the board of elections available upon request.

24 § 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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