STATE OF NEW YORK

642--C

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. CARROLL, COLTON, DINOWITZ, GOTTFRIED, GALEF, PAULIN, LUPARDO, REYES, SEAWRIGHT, D. ROSENTHAL, SILLITTI, GALLAGHER, GONZALEZ-ROJAS, SIMON, FRONTUS, ENGLEBRIGHT, LUNSFORD, SOLAGES, CAHILL, CRUZ, SAYEGH, JACKSON, FERNANDEZ, JEAN-PIERRE, ROZIC, TAYLOR, JACOBSON, MAMDANI, EPSTEIN, ZINERMAN, OTIS, L. ROSENTHAL, THIELE, QUART, NIOU, ANDERSON, BURGOS, DAVILA, STIRPE, FAHY, ABINANTI, KELLES, TAPIA, GIBBS, FORREST, DE LOS SANTOS, GLICK, KIM, DICKENS, J. D. RIVERA, BURDICK, MEEKS, WALKER, CUNNINGHAM, HYNDMAN, BARRETT, AUBRY -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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*

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

LBD02357-06-2

ballot includes one or more offices for which such person is not entitled 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.