STATE OF NEW YORK

1028

2021-2022 Regular Sessions

IN SENATE

January 6, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to absentee ballot tracking

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

Section 1. The election law is amended by adding a new section 8-414 to read as follows:

§ 8-414. Absentee ballot tracking. 1. The state board of elections shall establish and maintain an electronic absentee ballot tracking system by way of a secure website or web portal through which any registered voter in the state who has submitted an application for an absentee ballot, or who otherwise has a right to receive an absentee ballot, for an upcoming election pursuant to this chapter may view the current status of their absentee application or absentee ballot. Such website shall not require users to create an account. Such website shall indicate for each such voter whether the voter's board of elections has:

a. received such voter's request for an absentee ballot, if applicable;

b. approved or rejected such request, if applicable, and, if rejected, a brief statement of the reason for rejection;

c. mailed or delivered an absentee ballot to such voter for such upcoming election;

d. received such voter's completed absentee ballot for such upcoming election;

e. counted or rejected such voter's completed absentee ballot for such upcoming election, and, if rejected, a brief statement of the reason for rejection; and

f. determined that the ballot envelope is subject to a cure pursuant to subdivisions three and three-a of section 9-209 of this chapter, the

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

LBD07485-01-1

deadline to submit the cure, and how to obtain information about the cure from the applicable board of elections, if applicable.

2. Each county board of elections shall transmit electronically in a format and timeframe to be determined by the state board of elections, the data required by the state board of elections to be furnished to effectuate the requirements of this section.

3. The absentee ballot tracking website or portal provided for by this section shall be used to provide information to a voter seeking information about the voter's own ballot and shall not be used to provide such information to others.

4. Notwithstanding any other provision of this section, any county board of elections or the board of the elections of the city of New York may establish and maintain an electronic absentee ballot tracking system by way of a secure website or web portal for absentee ballot applicants who are residents of the respective county or city of New York.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately, the state board of elections shall be authorized to implement necessary rules and regulations and to take steps required to implement this act; and the county boards of elections or the board of elections for the city of New York may establish and maintain an electronic absentee ballot tracking system pursuant to section one of this act.