

STATE OF NEW YORK

286

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. MYRIE -- 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 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 shall be copied from the memory cards
19 or other similar electronic media by the board of elections no later
20 than one week after such election, and such copied electronic images of
21 cast ballots shall be public records of the board of elections available
22 upon request.

23 § 2. This act shall take effect immediately.

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

LBD02380-01-1