

STATE OF NEW YORK

5572

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sen. LANZA -- 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 exempting public school buildings from being designated as early polling locations

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

1 Section 1. Subdivision 2 of section 8-600 of the election law is
2 amended by adding a new paragraph (e) to read as follows:

3 (e) No public school building shall be designated as an early polling
4 location.

5 § 2. Subdivision 3 of section 4-104 of the election law, as amended by
6 chapter 694 of the laws of 1989, is amended to read as follows:

7 3. A building exempt from taxation shall be used whenever possible as
8 a polling place if it is situated in the same or a contiguous election
9 district, and may contain as many distinctly separate polling places as
10 public convenience may require. The expense, if any, incidental to its
11 use, shall be paid like the expense of other places of registration and
12 voting. If a board or body empowered to designate polling places chooses
13 a public school building for such purpose, the board or agency which
14 controls such building must make available a room or rooms in such
15 building which are suitable for registration and voting and which are as
16 close as possible to a convenient entrance to such building and must
17 make available any such room or rooms which the board or body designat-
18 ing such building determines are accessible to physically disabled
19 voters as provided in subdivision one-a. Notwithstanding the provisions
20 of this subdivision, no board or body empowered to designate polling
21 places shall designate a public school building as an early polling
22 location. Notwithstanding the provisions of any general, special or
23 local law, if a board or body empowered to designate polling places
24 chooses a publicly owned or leased building, other than a public school
25 building, for such purposes the board or body which controls such build-

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

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1 ing must make available a room or rooms in such building which are suit-
2 able for registration and voting and which are as close as possible to a
3 convenient entrance to such building, and must make available any such
4 room or rooms which the board or body designating such building deter-
5 mines are accessible to physically disabled voters unless, not later
6 than thirty days after notice of its designation as a polling place, the
7 board or body controlling such building, files a written request for a
8 cancellation of such designation with the board or body empowered to
9 designate polling places on such form as shall be provided by the board
10 or body making such designation. The board or body empowered to so
11 designate shall, within twenty days after such request is filed, deter-
12 mine whether the use of such building as a polling place would unreason-
13 ably interfere with the usual activities conducted in such building and
14 upon such determination, may cancel such designation.

15 § 3. This act shall take effect immediately.