

# STATE OF NEW YORK

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5800--A

2021-2022 Regular Sessions

## IN SENATE

March 18, 2021

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Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to mandatory training curriculum for poll workers

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

1 Section 1. Subdivision 1-a of section 3-412 of the election law, as  
2 added by chapter 181 of the laws of 2005, is amended and three new  
3 subdivisions 1-b, 1-c and 1-d are added to read as follows:  
4 1-a. The state board of elections shall establish a mandatory core  
5 curriculum for poll worker training which includes the requirements in  
6 subdivision two of this section, [~~as amended by a chapter of the laws of~~  
7 ~~2005,~~] and the rights of voters at the polls and obligation of election  
8 workers to protect those rights while maintaining the integrity of the  
9 franchise, including assisting voters with disabilities or with limited  
10 or no proficiency in the English language, handling, processing and  
11 entitlement to ballots, including affidavit and emergency ballots, prop-  
12 er identification requirements, procedures to be followed with respect  
13 to voters whose names are not on the list of registered voters or whose  
14 identities have not been verified, electioneering and other violations  
15 of the elective franchise as defined in this chapter, solicitation by  
16 individuals and groups at the polling place and procedures to be  
17 followed after the polls close. Each board of elections shall augment  
18 the core curriculum with local procedures not inconsistent with the core  
19 curriculum adopted by the state board of elections and which includes  
20 procedures relating to proper operation of, and remedying problems with,  
21 the voting machine or system in use in that jurisdiction.

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

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1 1-b. The state board of elections shall establish and host an educa-  
2 tion and training institute which shall be responsible for the develop-  
3 ment and implementation of a statewide program wherein persons can  
4 become certified poll worker trainers. This institute shall also create  
5 a train-the-trainer program, in order for county boards of elections to  
6 implement an effective training program at their respective local level  
7 of program delivery. The state board's trainers shall include in the  
8 trainer curriculum to be developed, attention to, inter alia, poll work-  
9 er ability to serve a diverse electorate with complete confidence and  
10 respect; professionalizing the delivery of all election day services;  
11 providing assistance to voters with disabilities and those with limited  
12 English language proficiency, ensuring the dignity and privacy of such  
13 individuals; and to individuals who are members of racial or ethnic  
14 minorities, complete familiarity and comfort with all voting systems in  
15 use in poll sites, including ballot marking devices or other  
16 systems/services available to voters with disabilities; and poll worker  
17 ability to recognize and resolve a variety of issues which may arise in  
18 poll sites. The state board's trainers and all certified poll worker  
19 instructors shall utilize industry-proven training techniques aimed at  
20 adult learners including role-based training and hands-on training  
21 opportunities using official election day forms and poll site voting  
22 systems and may further include a web-based component and companion  
23 video.

24 1-c. County boards shall enroll trainers in the program in such quan-  
25 tities to ensure that an adequate contingent of fully trained and certi-  
26 fied poll worker trainers are available to meet the training needs of  
27 such county. Each county board of elections shall enroll not less than  
28 two persons designated by the county board on a bipartisan basis, in the  
29 state board of elections training institute. Certified trainers must  
30 maintain their certification by attending once every two years, a  
31 continuing education program, to ensure the professionalism of the poll  
32 worker training agenda set by the state board of elections. Enrollees  
33 who have successfully completed the state board's training program and  
34 been awarded a "certified poll worker instructor" certificate may serve  
35 at the county board as a trainer of poll workers as well as a trainer of  
36 other bi-partisan designees of the county board, however the conferring  
37 of the title "certified poll worker instructor" may be made only by the  
38 state board of elections.

39 1-d. The state board of elections shall adopt such rules and regu-  
40 lations which may be necessary to create the training institute and  
41 associated curricula provided for in subdivisions one-a, one-b and one-c  
42 of this section, including a process whereby attendees who successfully  
43 complete a state board-sponsored training program shall be awarded a  
44 certificate conferring upon him or her, the title of "certified poll  
45 worker instructor".

46 § 2. This act shall take effect on the one hundred eightieth day after  
47 it shall have become a law. Effective immediately, the addition, amend-  
48 ment and/or repeal of any rule or regulation necessary for the implemen-  
49 tation of this act on its effective date are authorized and directed to  
50 be made and completed on or before such effective date.