

STATE OF NEW YORK

5800--A

2021-2022 Regular Sessions

IN SENATE

March 18, 2021

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.