

# STATE OF NEW YORK

909

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. SANDERS -- 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 ballots

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

1 Section 1. Section 8-406 of the election law, as amended by chapter  
2 296 of the laws of 1988, is amended to read as follows:  
3 § 8-406. Absentee ballots, delivery of. If the board shall find that  
4 the applicant is a qualified voter of the election district containing  
5 his residence as stated in his statement and that his statement is  
6 sufficient, it shall, as soon as practicable after it shall have deter-  
7 mined his right thereto, mail to him at an address designated by him, or  
8 deliver to him, or to any person designated for such purpose in writing  
9 by him, at the office of the board, such an absentee voter's ballot or  
10 set of ballots and [~~an~~] a return postage guaranteed envelope therefor.  
11 If the ballot or ballots are to be sent outside of the United States to  
12 a country other than Canada or Mexico, such ballot or ballots shall be  
13 sent by air mail. However, if an applicant who is eligible for an absen-  
14 tee ballot is a resident of a facility operated or licensed by, or under  
15 the jurisdiction of, the department of mental hygiene, or a resident of  
16 a facility defined as a nursing home or residential health care facility  
17 pursuant to subdivisions two and three of section two thousand eight  
18 hundred one of the public health law, or a resident of a hospital or  
19 other facility operated by the Veteran's Administration of the United  
20 States, such absentee ballot need not be so mailed or delivered to any  
21 such applicant but, may be delivered to the voter in the manner  
22 prescribed by section 8-407 of this [~~chapter~~] title if such facility is  
23 located in the county or city in which such voter is eligible to vote.  
24 § 2. This act shall take effect immediately.

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

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