STATE OF NEW YORK

10459

IN ASSEMBLY

May 28, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Simon) -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to deadlines for special presidential ballot applications for military voters

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

Section 1. Subdivision 5 of section 10-106 of the election law, as amended by chapter 113 of the laws of 2023, is amended to read as follows:

5. The state board of elections shall forward to the appropriate board of elections all applications for military ballots received by it. An application from a military voter not previously registered must be received by the appropriate board of elections not later than ten days before a general, primary, or special election in order to entitle the applicant to vote at such election. An application from a military voter who is already registered must be received at least [~~seven~~] **fifteen** days before an election in order to entitle the applicant to vote at such election; except that an application from such a military voter who delivers their application to the board of elections in person, must be received not later than the day before the election.

§ 2. Paragraph (a) of subdivision 1 of section 10-108 of the election law, as amended by chapter 164 of the laws of 2022, is amended to read as follows:

(a) Ballots for military voters shall be mailed or otherwise distributed by the board of elections, in accordance with the preferred method of transmission designated by the voter pursuant to section 10-107 of this article, as soon as practicable but in any event not later than forty-six days before a primary or general election; twenty-five days before a New York city community school board district or city of Buffalo school district election; fourteen days before a village election conducted by the board of elections; forty-five days before a special election; and twenty-three days before a special election held pursuant to paragraph b of subdivision three of section forty-two of the public officers law. A voter who submits a military ballot application

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

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shall be entitled to a military ballot thereafter for each subsequent election through and including the next two regularly scheduled general elections held in even numbered years, including any run-offs which may occur; provided, however, such application shall not be valid for any election held within [~~seven~~] **fifteen** days after its receipt. Ballots shall also be mailed to any qualified military voter who is already registered and who requests such military ballot from such board of elections in a letter, which is signed by the voter and received by the board of elections not later than the [~~seventh~~] **fifteenth** day before the election for which the ballot is requested and which states the address where the voter is registered and the address to which the ballot is to be mailed. The board of elections shall enclose with such ballot a form of application for military ballot. In the case of a primary election, the board shall deliver only the ballot of the party with which the military voter is enrolled according to the military voter's registration records. In the event a primary election is uncontested in the military voter's election district for all offices or positions except the party position of member of the ward, town, city or county committee, no ballot shall be delivered to such military voter for such election; and the military voter shall be advised of the reason why [~~he or she~~] **such military voter** will not receive a ballot.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.