

# STATE OF NEW YORK

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4758

2023-2024 Regular Sessions

## IN ASSEMBLY

February 23, 2023

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Introduced by M. of A. SMULLEN -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to requiring the county seat in Fulton county to have at least one polling place designated for early voting

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, as  
2 amended by chapter 781 of the laws of 2021, is amended to read as  
3 follows:

4 2. (a) The board of elections shall designate polling places for early  
5 voting, which may include the offices of the board of elections, for  
6 persons to vote early pursuant to this title.

7 (b) The largest city in the county or, if there is no city in the  
8 county, the municipality with the highest population in each county  
9 based on the latest federal decennial census, or the county seat in  
10 Washington county, or the county seat in Fulton county, shall have at  
11 least one polling place designated for early voting, and to the extent  
12 practicable if such city or municipality has public transportation  
13 routes, such polling place shall be situated along such transportation  
14 routes.

15 (c) In counties with at least five hundred thousand registered voters,  
16 there shall be so designated at least one early voting polling place for  
17 every full increment of forty thousand registered voters.

18 (d) In all other counties with less than five hundred thousand regis-  
19 tered voters, there shall be so designated at least one early voting  
20 polling place for every full increment of thirty thousand registered  
21 voters; provided, however, the number of early voting polling places in  
22 counties with less than five hundred thousand registered voters shall  
23 not be required to be greater than ten nor less than one.

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

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1 (e) For any special, primary or run-off primary election at which no  
2 voters of the municipality with the highest population within the county  
3 are eligible to vote, the board of elections may, in lieu of having an  
4 early voting polling place in such municipality, designate a polling  
5 place for early voting in the municipality with the highest population  
6 within the county within which the voters are eligible to vote at such  
7 special, primary, or run-off primary election.

8 (f) The board of elections of each county or the city of New York may  
9 establish additional polling places for early voting in excess of the  
10 minimum number required by this subdivision for the convenience of  
11 eligible voters.

12 (g) Notwithstanding the minimum number of early voting poll sites  
13 otherwise required by this subdivision, for any primary or special  
14 election, upon majority vote of the board of elections, the number of  
15 early voting sites may be reduced when the board of elections determines  
16 a lesser number of sites is sufficient to meet the needs of early  
17 voters.

18 (h) Polling places for early voting shall be located so that voters in  
19 the county have adequate and equitable access, taking into consideration  
20 population density, travel time to the polling place, proximity to other  
21 early voting poll sites, public transportation routes, commuter traffic  
22 patterns and such other factors the board of elections deems appropri-  
23 ate. The provisions of section 4-104 of this chapter, except subdivi-  
24 sions four and five of such section, shall apply to the designation of  
25 polling places for early voting except to the extent such provisions are  
26 inconsistent with this section.

27 § 2. This act shall take effect immediately.