

# STATE OF NEW YORK

7632

2023-2024 Regular Sessions

## IN ASSEMBLY

May 25, 2023

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

AN ACT to amend the election law, the education law, the town law and the New York city charter, in relation to establishing early mail voting

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

1 Section 1. This act shall be known and may be cited as the "New York  
2 Early Mail Voter Act".

3 § 2. Article 8 of the election law is amended by adding a new title 7  
4 to read as follows:

### TITLE VII

#### EARLY MAIL VOTING

5  
6  
7 Section 8-700. Early voting by mail; application for ballot.

8 8-702. Early voting by mail; review of application by board of  
9 elections.

10 8-704. Early mail ballots; delivery of.

11 8-706. Electronic early mail ballot application transmittal  
12 system.

13 8-708. Early voting by mail; method of.

14 8-710. Early mail ballots; deadline for receipt, and delivery to  
15 polling place.

16 8-712. Online early mail ballot tracking system.

17 § 8-700. Early voting by mail; application for ballot. 1. A registered  
18 voter may apply to the county board of elections in the county in which  
19 they are registered, or to the board of elections of the city of New  
20 York, if registered in the city of New York, to vote early by mail under  
21 this title in any election conducted by the board of elections in which  
22 the voter is eligible to vote.

23 2. A registered voter who desires to vote early by mail at an election  
24 must make an application to vote early by mail on a form to be obtained

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

LBD11608-02-3

1 and filed as provided in this section, by letter as provided in para-  
2 graph (d) of this subdivision, or through the electronic early mail  
3 ballot application transmittal system pursuant to section 8-706 of this  
4 title.

5 (a) Application forms to vote early by mail shall be furnished by and  
6 may be obtained from any board of elections at any time until the day  
7 before such election, or on the electronic early mail ballot application  
8 transmittal system. Application forms shall also be supplied by the  
9 board of inspectors of the election district in which the applicant is a  
10 registered voter on all of the days provided for local registration. In  
11 addition, application forms shall be supplied upon the request of the  
12 person authorized to vote pursuant to this section, any such person's  
13 spouse, parent or child, a person residing with the applicant as a  
14 member of their household, or the applicant's duly authorized agent.  
15 Application forms sent outside of the United States to a country other  
16 than Canada or Mexico, shall be sent by airmail. Any reference to "board  
17 of elections" in the remaining provisions of this section, except with  
18 respect to the furnishing and obtaining of applications to vote early by  
19 mail, means only the board of elections of the county or city in which  
20 the applicant is a registered voter.

21 (b) Applications may be filed with the board of elections, through the  
22 electronic early mail ballot application transmittal system or in person  
23 with the board of inspectors of the election district in which the  
24 applicant is a registered voter on one of the days provided for local  
25 registration.

26 (c) All applications requesting to vote early by mail transmitted by  
27 mail or through the electronic early mail ballot application transmittal  
28 system must be received by the board of elections not later than the  
29 tenth day before the election for which a ballot is first requested.  
30 Applications to vote early by mail delivered in person at the board of  
31 elections must be received by such board not later than the day before  
32 such election.

33 (d) The board of elections shall mail an early mail ballot to every  
34 registered voter otherwise eligible for such a ballot, who requests such  
35 an early mail ballot from such board of elections in writing in a  
36 letter, telefax indicating the address, phone number and the telefax  
37 number from which the writing is sent or other written instrument, or  
38 through an electronic application submitted by the voter through the  
39 electronic early mail ballot application transmittal system established  
40 by the state board of elections, which is signed by the voter and  
41 received by the board of elections not later than the tenth day before  
42 the election for which the ballot is first requested and which states  
43 the address where the voter is registered and the address to which the  
44 ballot is to be mailed.

45 (e) When mailing an early mail ballot application to a voter the board  
46 of elections shall provide a domestic postage paid return envelope. When  
47 providing an early mail ballot application to a voter in-person, the  
48 board of elections shall offer the voter a domestic postage paid return  
49 envelope and provide one if requested.

50 3. The application for an early mail ballot when filed must contain in  
51 each instance the following information:

52 (a) Applicant's full name, date of birth, and residence address,  
53 including the street and number, if any, rural delivery route, if any,  
54 mailing address if different from the residence address and their town  
55 or city and an address to which the ballot shall be mailed.

1 (b) A statement that the applicant is a registered voter in the county  
2 or city where they are applying to vote early by mail.

3 4. The application for an early mail ballot shall also provide the  
4 applicant the opportunity to provide their telephone number and e-mail  
5 address.

6 5. The application for an early mail ballot shall also provide the  
7 applicant the opportunity to request to receive an early mail ballot for  
8 all remaining elections in the calendar year in which the applicant is  
9 eligible to vote. If an applicant indicates in the application for an  
10 early mail ballot that they wish to receive an early mail ballot for all  
11 remaining elections in the calendar year, upon filing of such applica-  
12 tion, the board of elections shall indicate such request in the voter's  
13 registration record. When early mail ballots are mailed for subsequent  
14 elections in the calendar year in which the voter is eligible to vote,  
15 the board of elections shall mail an early mail ballot to the voter at  
16 their last known address by first class mail with a request to the  
17 postal authorities not to forward such ballot but to return it in five  
18 days in the event that it cannot be delivered to the addressee. Howev-  
19 er, the board shall not be required to mail an early mail ballot pursu-  
20 ant to this section if the voter's registration has been canceled since  
21 the filing of such application.

22 6. The application for an early mail ballot shall contain the follow-  
23 ing language printed in bold face directly above the signature line: "I  
24 CERTIFY THAT THE INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT AND  
25 UNDERSTAND THAT THIS APPLICATION WILL BE ACCEPTED FOR ALL PURPOSES AS  
26 THE EQUIVALENT OF AN AFFIDAVIT AND, IF IT CONTAINS A MATERIAL FALSE  
27 STATEMENT, SHALL SUBJECT ME TO THE SAME PENALTIES AS IF I HAD BEEN DULY  
28 SWORN." Such application shall be accepted for all purposes as the  
29 equivalent of an affidavit and if it contains a material false statement  
30 shall subject the person signing it to the same penalties as if he or  
31 she had been duly sworn.

32 7. For purposes of this section, the use of titles, initials or  
33 customary abbreviations of given names by the signers or witnesses of an  
34 early mail ballot application or early mail ballot envelope, or the use  
35 of customary abbreviations of addresses of such signers or witnesses,  
36 shall not invalidate such voter's signature or witness's signature on an  
37 application for early mail ballot or upon canvass or recanvass of the  
38 ballot pursuant to this chapter.

39 8. (a) If a person entitled to an early mail ballot is unable to sign  
40 their application because of illness, physical disability or inability  
41 to read, they shall be excused from signing upon making a statement, in  
42 substantially the following form, which shall be witnessed by one  
43 person:

44 "I hereby state that I am unable to sign my application for an early  
45 mail ballot without assistance because I am unable to write by reason of  
46 illness or physical disability or because I am unable to read. I have  
47 made, or have received assistance in making, my mark in lieu of my  
48 signature."

49 .....  
50 (Date)

51 .....  
52 (Mark)

53 .....  
54 (Name of Voter)

1 "I, the undersigned, hereby certify that the above named voter affixed  
2 their mark to this application in my presence and I know them to be the  
3 person who affixed their mark to said application and understand that  
4 this statement will be accepted for all purposes as the equivalent of an  
5 affidavit and if it contains a material false statement, shall subject  
6 me to the same penalties as if I had been duly sworn."

7 .....  
8 (Signature of Witness)

9 .....  
10 (Address of Witness)

11 (b) Such statement shall be included in the application form furnished  
12 by the board of elections.

13 9. Printed forms of applications for early mail ballots in accordance  
14 with the requirements of this section shall be provided by the board of  
15 elections. An appropriate number shall be retained by the board of  
16 elections for the purpose of furnishing an application form to each  
17 registered voter who applies therefor before the board of elections,  
18 either in person or by mail, and an appropriate number shall be deliv-  
19 ered to each board of inspectors on registration days with the election  
20 supplies, and the board of inspectors shall retain the completed and  
21 unused applications and return them to the board of elections with their  
22 election supplies and an appropriate number shall be available for  
23 distribution to officers of political parties, county clerks, city, town  
24 and village clerks, colleges, libraries, and any other convenient  
25 distribution source which is approved by the local or state board of  
26 elections and which requests such forms.

27 10. The state board of elections shall prescribe a standard applica-  
28 tion form for use under this section. The use of any application form  
29 which substantially complies with the provisions of this section shall  
30 be acceptable and any application filed on such a form shall be accepted  
31 for filing.

32 § 8-702. Early voting by mail; review of application by board of  
33 elections. 1. Upon receipt of an application to vote early by mail the  
34 board of elections shall determine whether the applicant is a registered  
35 voter of the county or city at the address listed in the application and  
36 is eligible to vote in the election or elections for which the applica-  
37 tion is filed. An application to vote early by mail filed or received  
38 simultaneously with or on the same day as a valid registration applica-  
39 tion from the applicant shall be considered valid.

40 2. If the board of elections determines that the applicant is not a  
41 registered voter of the county or city at the address listed in the  
42 application pursuant to subdivision one of this section or the applicant  
43 is not eligible to vote in all of the elections for which the applica-  
44 tion is filed, the board of elections shall immediately notify the  
45 applicant of the rejection of the application to vote early by mail and  
46 provide the reason for such rejection.

47 3. In the case of a primary election, the board of elections shall  
48 deliver only the ballot of the party in which the records of the board  
49 of elections show the applicant to be enrolled. In the event a primary  
50 election is uncontested in the applicant's election district for all  
51 offices or positions except the party position of member of the ward,  
52 town, city or county committee, no ballot shall be delivered to such

1 applicant for such election; and the applicant shall be advised why they  
2 are not being sent a ballot.

3 4. The board shall keep a record of applications to vote early by mail  
4 as they are received, showing the names and residences of the appli-  
5 cants, and their party enrollment in the case of primary elections, and,  
6 as soon as practicable shall, when requested, give to the chairman of  
7 each political party or independent body in the county, and shall make  
8 available for inspection to any other registered voter upon request, a  
9 complete list of all applicants to whom early mail ballots have been  
10 delivered or mailed, containing their names and places of residence as  
11 they appear on the registration record, including the election district  
12 and ward, if any, and in the city of New York and the county of Nassau,  
13 the assembly district, and their party enrollment in the case of primary  
14 elections.

15 § 8-704. Early mail ballots; delivery of. 1. If the board finds that  
16 the applicant is a registered voter of the county or city at the address  
17 listed in the application, the applicant is eligible to vote in the  
18 election at issue, and the application is otherwise sufficient, it  
19 shall, as soon as practicable, mail to the applicant at an address  
20 designated by them, or deliver to them, or to any person designated for  
21 such purpose in writing by them, at the office of the board, an early  
22 mail ballot or set of ballots and an envelope therefor. If the ballot or  
23 ballots are to be sent outside of the United States to a country other  
24 than Canada or Mexico, such ballot or ballots shall be sent by air mail.

25 2. When mailing an early mail ballot to a voter the board of elections  
26 shall provide a domestic postage paid return envelope. When providing an  
27 early mail ballot to a voter in-person, the board of elections shall  
28 offer the voter a domestic postage paid return envelope and provide one  
29 if requested.

30 § 8-706. Electronic early mail ballot application transmittal system.  
31 1. In addition to any other means of applying for an early mail ballot,  
32 the state board of elections shall establish and maintain an electronic  
33 early mail ballot application transmittal system through which voters  
34 may apply for an early mail ballot online. The state board of elections  
35 shall electronically transmit such applications to the applicable board  
36 of elections of each county or the city of New York for processing  
37 consistent with this chapter. In accordance with technical specifica-  
38 tions provided by the state board of elections, each board of elections  
39 shall maintain an early mail ballot application system capable of  
40 receiving and processing electronic early mail ballot applications,  
41 including, but not limited to, electronic signatures, from the electron-  
42 ic early mail ballot application transmittal system established by the  
43 state board of elections pursuant to this section. Such transmittal  
44 system shall be fully integrated with each county board of elections and  
45 the city of New York board of elections so that a voter may apply online  
46 directly either through the website of their board of elections or the  
47 state board of elections. Notwithstanding any other inconsistent  
48 provision of this chapter, applications filed using such system shall be  
49 considered filed with the applicable board of elections on the calendar  
50 date the application is initially transmitted by the voter through the  
51 electronic early mail ballot application transmittal system.

52 2. (a) A voter shall be able to apply for an early mail ballot using a  
53 personal online application submitted through the electronic early mail  
54 ballot application transmittal system when the voter:

1 (i) completes an electronic early mail ballot application promulgated  
2 by the state board of elections which shall include all of the informa-  
3 tion required by section 8-700 of this title; and

4 (ii) affirms, subject to penalty of perjury, by means of electronic or  
5 manual signature, that the information contained in the early mail  
6 ballot application is true; and

7 (iii) consents to the use of an electronic copy of the individual's  
8 manual signature that is in the custody of the department of motor vehi-  
9 cles, the state board of elections, or other agency designated by  
10 section 5-211 or 5-212 of this chapter, as the individual's early mail  
11 ballot exemplar signature, or provides such a signature by direct upload  
12 in a manner that complies with the New York state electronic signature  
13 and records act and the rules and regulations promulgated by the state  
14 board of elections.

15 (b) The board of elections shall provide the personal online early  
16 mail ballot application in any language required by the federal Voting  
17 Rights Act of 1965 (52 U.S.C. Sec. 10503) in any county in the state.

18 (c) The online early mail ballot application process shall provide  
19 reasonable accommodations to improve accessibility for persons with  
20 disabilities and shall be compatible for use with standard online acces-  
21 sibility assistance tools for persons with visual, physical or percep-  
22 tive disabilities.

23 (d) The state board of elections shall promulgate rules and regu-  
24 lations for the creation and administration of an early mail ballot  
25 application system pursuant to this section.

26 3. (a) If an early mail ballot exemplar signature is not provided by  
27 an applicant who submits an early mail ballot application pursuant to  
28 this section, the local board shall seek to obtain such exemplar signa-  
29 ture from the statewide voter registration database, the state board of  
30 elections, or a state or local agency designated by section 5-211 or  
31 5-212 of this chapter.

32 (b) If such exemplar signature is not available from the statewide  
33 voter registration database, the state board of elections, or a state or  
34 local agency designated by section 5-211 or 5-212 of this chapter, the  
35 local board of elections shall, absent another reason to reject the  
36 application, require the voter to provide an exemplar signature by any  
37 one of the following methods: in person, by electronic mail, or by elec-  
38 tronic upload to the board of elections through the electronic early  
39 mail ballot application transmittal system.

40 (c) If such voter does not provide the required exemplar signature,  
41 the board of elections shall proceed to issue an early mail ballot to  
42 the voter along with an early mail ballot application form requiring  
43 such voter to submit a signature upon such application form and return  
44 it to the board of elections with the voter's ballot.

45 4. The electronic early mail ballot application transmittal system  
46 shall be combined on a single website with the electronic absentee  
47 ballot application transmittal system created pursuant to section 8-408  
48 of this article. A person using the website must first be provided with  
49 an early mail ballot application before being offered the opportunity to  
50 apply for an absentee ballot. If a person submits an early mail ballot  
51 application, the person shall not be offered the opportunity to apply  
52 for an absentee ballot.

53 § 8-708. Early voting by mail; method of. The early mail voter shall  
54 mark an early mail ballot as provided for paper ballots or ballots  
55 prepared for counting by ballot counting machines. They shall make no  
56 mark or writing whatsoever upon the ballot, except as above prescribed,

1 and shall see that it bears no such mark or writing. They shall make no  
2 mark or writing whatsoever on the outside of the ballot. In cases where  
3 the express intent of the voter is unambiguous, any stray marks or writ-  
4 ing shall not be a basis for voiding a ballot. After marking the ballot  
5 or ballots they shall fold each such ballot and enclose them in the  
6 envelope and seal the envelope. They shall then take and subscribe the  
7 oath on the envelope, with blanks properly filled in. The envelope,  
8 containing the ballot or ballots, shall then be mailed or delivered to  
9 the board of elections of the county or city of their residence.

10 § 8-710. Early mail ballots; deadline for receipt, and delivery to  
11 polling place. 1. The board of elections shall cause all early mail  
12 ballots received by it before the close of the polls on election day and  
13 all ballots contained in envelopes showing a cancellation mark of the  
14 United States postal service or a foreign country's postal service, or  
15 showing a dated endorsement of receipt by another agency of the United  
16 States government, with a date which is ascertained to be not later than  
17 the day of the election and received by such board of elections not  
18 later than seven days following the day of election to be cast and  
19 counted. For purposes of this section, any early mail ballot received  
20 by the board of elections by mail that does not bear or display a dated  
21 postmark shall be presumed to have been timely mailed or delivered if  
22 such ballot bears a time stamp of the receiving board of elections indi-  
23 cating receipt by such board on the day after the election.

24 2. Early mail ballots received by the board of elections shall be  
25 retained at the board of elections and cast and canvassed pursuant to  
26 the provisions of section 9-209 of this chapter.

27 § 8-712. Online early mail ballot tracking system. 1. The state board  
28 of elections shall establish and maintain an electronic early mail  
29 ballot tracking system. In accordance with technical specifications  
30 provided by the state board of elections, each local board of elections  
31 shall maintain an early mail ballot tracking system integrated with the  
32 state board's system, and which may be integrated with the United States  
33 postal service tracking system, to allow a voter who has submitted an  
34 application for an early mail ballot to track the status of an early  
35 mail ballot application and an early mail ballot on the state board or  
36 local board website.

37 2. Such website shall not require users to create an account but shall  
38 require verification that the user is accessing their own record through  
39 the inclusion of data identifying the voter and the board of elections  
40 at which the voter is registered, and any other information required by  
41 the state board of elections.

42 3. The ballot tracking system shall indicate to the voter if the  
43 board:

- 44 (a) received such voter's application for an early mail ballot;
- 45 (b) approved or rejected such application and, if rejected, an indi-  
46 cation of the reason for such rejection;
- 47 (c) mailed or delivered an early mail ballot to such voter, the date  
48 of such mailing or delivery, and the expected date of receipt;
- 49 (d) received the ballot back as undeliverable;
- 50 (e) received such voter's completed early mail ballot;
- 51 (f) determined the ballot envelope was subject to a cure; and
- 52 (g) counted or rejected such voter's completed early mail ballot and,  
53 if rejected, a brief statement of the reason for rejection.

54 4. The electronic early mail ballot tracking system shall be combined  
55 on a single website with the electronic absentee ballot tracking system  
56 created pursuant to section 8-414 of this article.

1 § 3. Paragraphs (c) and (d) of subdivision 2 of section 8-400 of the  
2 election law, as separately amended by chapters 273 and 746 of the laws  
3 of 2021, are amended to read as follows:

4 (c) All applications requesting an absentee ballot by mail or through  
5 the electronic absentee ballot application transmittal system must be  
6 received by the board of elections not later than the [~~fifteenth~~] tenth  
7 day before the election for which a ballot is first requested. Applica-  
8 tions for an absentee ballot that will be delivered in person at the  
9 board of elections to the voter or to an agent of the voter must be  
10 received by such board not later than the day before such election.

11 (d) The board of elections shall mail an absentee ballot to every  
12 qualified voter otherwise eligible for such a ballot, who requests such  
13 an absentee ballot from such board of elections in writing in a letter,  
14 telefax indicating the address, phone number and the telefax number from  
15 which the writing is sent or other written instrument, or an electronic  
16 application submitted by the voter through the electronic absentee  
17 ballot application transmittal system established by the state board of  
18 elections, which is signed by the voter and received by the board of  
19 elections not later than the [~~fifteenth~~] tenth day before the election  
20 for which the ballot is first requested and which states the address  
21 where the voter is registered and the address to which the ballot is to  
22 be mailed; provided, however, a military voter may request a military  
23 ballot or voter registration application or an absentee ballot applica-  
24 tion in a letter as provided in subdivision three of section 10-106 of  
25 this chapter; and provided further, a special federal voter may request  
26 a special federal ballot or voter registration application or an absen-  
27 tee ballot application in a letter as provided in paragraph d of subdi-  
28 vision one of section 11-202 of this chapter. The board of elections  
29 shall enclose with such ballot a form of application for absentee ballot  
30 if the applicant is registered with such board of elections.

31 § 4. Subdivision 3 of section 8-400 of the election law is amended by  
32 adding a new paragraph (c-1) to read as follows:

33 (c-1) Provided that, if the applicant does not provide a reason that  
34 the applicant is entitled to an absentee ballot as required by paragraph  
35 (c) of this subdivision, the application shall be processed as an appli-  
36 cation for an early mail ballot pursuant to section 8-702 of this arti-  
37 cle.

38 § 5. Subdivision 10 of section 8-400 of the election law, as amended  
39 by chapter 373 of the laws of 1986 and as renumbered by chapter 40 of  
40 the laws of 2009, is amended to read as follows:

41 10. The state board of elections shall prescribe a standard applica-  
42 tion form for use under this section. The standard application form  
43 shall indicate that if the applicant does not provide a reason that the  
44 applicant is entitled to an absentee ballot, the application will be  
45 processed as an application for an early mail ballot pursuant to para-  
46 graph (c-1) of subdivision three of this section, and the applicant will  
47 be sent an early mail ballot if otherwise eligible. The use of any  
48 application form which substantially complies with the provisions of  
49 this section shall be acceptable and any application filed on such a  
50 form shall be accepted for filing.

51 § 6. Subdivisions 1 and 5 of section 8-402 of the election law, subdi-  
52 vision 1 as amended by chapter 666 of the laws of 1980, are amended to  
53 read as follows:

54 1. Upon receipt of an application for an absentee ballot the board of  
55 elections shall forthwith determine upon such inquiry as it deems proper  
56 whether the applicant is qualified to vote and to receive an absentee

1 ballot, and if it finds the applicant is not so qualified it shall  
2 reject the application after investigation as hereinafter provided.  
3 Provided that, an application for an absentee ballot that does not  
4 provide a reason that the applicant is entitled to such a ballot shall  
5 be processed as an application for an early mail ballot pursuant to  
6 paragraph (c-1) of subdivision 3 of section 8-400 of this title and  
7 section 8-702 of this article.

8 5. If the board shall determine that the applicant is not entitled to  
9 an absentee ballot it shall immediately notify the applicant, giving  
10 [~~him~~] the person the reason for such rejection. Provided that no notifi-  
11 cation of rejection is necessary if the application is processed as an  
12 application for an early mail ballot pursuant to subdivision one of this  
13 section.

14 § 7. The election law is amended by adding a new section 7-119 to read  
15 as follows:

16 § 7-119. Ballots; early mail voters. 1. (a) Ballots for early mail  
17 voters shall be, as nearly as practicable, in the same form as those to  
18 be voted in the district on election day, except that such ballots need  
19 not have a stub, and shall have the words "Early Mail Ballot", endorsed  
20 thereon.

21 (b) All provisions of this chapter not inconsistent with this subdivi-  
22 sion shall be applicable to early mail ballots prepared for counting by  
23 a ballot scanner or by hand. The instructions for marking an early mail  
24 ballot shall be provided and shall be substantially as follows, so that  
25 they accurately reflect the ballot layout:

26 INSTRUCTIONS

27 Mark the (insert "oval" or "square") to the left of the name of your  
28 choice. (Provide illustration of correctly-marked voting position here.)  
29 To vote for a candidate whose name is not printed on the ballot, (insert  
30 "mark the oval (or square) to the left of 'write-in' and print the name  
31 clearly" or "print the name clearly in the box labeled 'write-in'"),  
32 staying within the box. Any mark or writing outside the spaces provided  
33 for voting may void the entire ballot. You have a right to a replacement  
34 ballot. If you make a mistake or want to change your vote, call the  
35 board of elections at (insert phone number here) for instructions on how  
36 to obtain a new ballot. The number of choices is listed for each  
37 contest. Do not mark the ballot for more candidates than allowed. If you  
38 do, your vote in that contest will not count.

39 (c) When a question or proposal is included on the ballot,  
40 instructions substantially similar to those provided in subdivision  
41 fifteen of section 7-104 of this article shall be included.

42 2. The determination of the appropriate county board of elections as  
43 to the candidates duly designated or nominated for public office or  
44 party position whose name shall appear on the early mail ballot and as  
45 to ballot proposals to be voted on shall be made no later than the day  
46 after the state board of elections issues its certification of those  
47 candidates to be voted for at the general, special or primary election.  
48 The determinations of the state board of elections and the respective  
49 county boards of elections shall be final and conclusive with respect to  
50 such offices for which petitions or certificates are required to be  
51 filed with such boards, as the case may be but nothing contained in this  
52 section shall prevent a board of elections, or a court of competent  
53 jurisdiction from determining at a later date that any such certifi-  
54 cation, designation or nomination is invalid and, in the event of such  
55 later determination, no vote cast for any such nominee by any voter  
56 shall be counted at the election.

3. There shall be three envelopes for each early mail ballot issued by mail: the inner affirmation envelope into which a voter places their voted ballot, the outer envelope which shall be addressed to the early mail voter, and the mailing envelope which is addressed to the county board of elections. The board of elections shall furnish with each early mail ballot an inner affirmation envelope. On one side of the envelope shall be printed:

OFFICIAL EARLY MAIL BALLOT  
for  
GENERAL (OR PRIMARY OR SPECIAL) ELECTION,

....., 20.....

Name of voter .....  
Residence (street and number if any) .....  
City/or town of (village, if any) .....  
County of .....

Assembly District .....  
Legislative District (as applicable) .....  
Ward (as applicable) .....  
Election District .....  
Party Enrollment (in case of primary election) .....

4. The date of the election, name of the county, and name of a city, if there be a separate ballot for city voters, shall be printed, and the name of the voter, residence, number of the assembly district, if any, name of town, number of ward, if any, election district and party enrollment, if required, shall be either printed or written or stamped in by the board.

5. There shall also be a place for two board of elections staff members or inspectors of opposite political parties to indicate, by placing their initials thereon, that they have checked and marked the voter's poll record and a box labeled "BOE use only" for notations required when the board of elections reviews affirmation ballot envelopes pursuant to section 9-209 of this chapter.

6. On the reverse side of such inner affirmation envelope shall be printed the following statement:

AFFIRMATION

I do declare that I am a citizen of the United States, that I am duly registered in the election district shown on the reverse side of this envelope and I am qualified to vote in such district; that I have not qualified nor do I intend to vote elsewhere, that I have not committed any act nor am I under any impediment which denies me the right to vote.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of early mail voter, I shall be guilty of a misdemeanor.

Date ..... 20 .....

.....  
Signature or mark of voter

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54

.....  
Signature of Witness  
(required only if voter  
does not sign their own  
name)

.....  
Address of Witness

7. The inner affirmation envelope shall be gummed, ready for sealing, and shall have printed thereon, on the side opposite the statement, instructions as to the duties of the voter after the marking of the ballot, which instructions shall include a specific direction stating when such ballot must be postmarked and when such ballot must reach the office of the board of elections in order to be canvassed.

8. Each inner affirmation ballot envelope shall be enclosed in an outer envelope addressed to the appropriate board of elections and bearing on it a specific direction that if an original application for an early mail ballot is received with the ballot, such application must be completed by the voter and returned in the outer envelope together with the sealed inner affirmation envelope containing the early mail ballot within the time limits for receipt of the early mail ballot itself. Such inner affirmation envelope and outer envelope shall be enclosed in the third envelope addressed to the early mail voter. The outer and third envelopes shall have printed on the face thereof the words "Election Material--Please Expedite".

§ 8. The election law is amended by adding a new section 15-119 to read as follows:

§ 15-119. Early mail voting at village elections. 1. A registered voter of a village may vote by early mail ballot under this section for a general or special village election in which the voter is eligible to vote.

2. A registered voter desirous of obtaining an early mail ballot shall make written application therefor to the village clerk. Application forms for use pursuant to this section shall be in a form prescribed by the state board of elections. The use of any application which is on a form prescribed by the state board of elections shall be acceptable.

3. An application for an early mail ballot must be signed by the applicant. If a person entitled to an early mail ballot is unable to sign their application because of illness, physical disability or inability to read, they shall be excused from signing upon making a statement, in substantially the following form, which shall be witnessed by one person: "I hereby state that I am unable to sign my application for an early mail ballot without assistance because I am unable to write by reason of illness or physical disability or because I am unable to read. I have made, or have received assistance in making, my mark in lieu of my signature."

.....  
(Date)

.....  
(Mark)

.....  
(Name of Voter)

"I, the undersigned, hereby certify that the above named voter affixed their mark to this application in my presence and I know them to be the person who affixed their mark to said application and understand that

1 this statement will be accepted for all purposes as the equivalent of an  
2 affidavit and if it contains a material false statement, shall subject  
3 me to the same penalties as if I had been duly sworn."

4 .....  
5 (Signature of Witness)

6 .....  
7 (Address of Witness)

8 Such statement shall be included in the application blank form furnished  
9 by the village clerk.

10 4. The application for an early mail ballot when filed must contain in  
11 each instance the following information:

12 (a) Applicant's full name, date of birth, and residence address,  
13 including the street and number, if any, rural delivery route, if any,  
14 mailing address if different from the residence address and their  
15 village and an address to which the ballot shall be mailed.

16 (b) A statement that the applicant is a registered voter.

17 (c) Such application shall permit the applicant to apply for an early  
18 mail ballot for a single election or for all remaining elections in the  
19 calendar year for which the voter is eligible to vote.

20 5. The application for an early mail ballot shall also provide the  
21 applicant the opportunity to provide their telephone number and e-mail  
22 address.

23 6. Printed forms containing the application for the early mail ballot,  
24 in accordance with the requirements of this section, shall be in the  
25 form prescribed by the state board of elections and shall be provided by  
26 the village clerk and shall be available at the office of the clerk.  
27 Application forms for early mail ballots for use pursuant to this  
28 section shall be furnished by the village clerk upon request of the  
29 person authorized to vote under this section or by any such person's  
30 spouse, parent, child, authorized agent or any nurse charged with the  
31 care of such person.

32 7. An application must be received by the village clerk no earlier  
33 than four months before the election for which an early mail ballot is  
34 sought, except as provided in paragraph (c) of subdivision four of this  
35 section. If the application requests that the early mail ballot be  
36 mailed, such application must be received not later than seven days  
37 before the election. If the applicant or their agent delivers the appli-  
38 cation to the village clerk in person, such application must be received  
39 not later than the day before the election. The village clerk shall  
40 examine each application. If the application is complete, the applicant  
41 is a registered voter of the village at the address listed in the appli-  
42 cation, and the applicant is eligible to vote in the election, the  
43 application shall be deemed accepted.

44 8. No later than six days before the election for which an application  
45 has been received and accepted by the village clerk, the village clerk  
46 shall mail, by regular mail, an early mail ballot to each applicant who  
47 has applied before such day and who has requested that such early mail  
48 ballot be mailed to them at the address set forth in their application.  
49 If the applicant or their agent delivers the application to the village  
50 clerk in person after the seventh day before the village election and  
51 not later than the day before the election, the village clerk shall  
52 forthwith deliver such early mail ballots for those applicants whom they  
53 determine are qualified to make such applications and to receive such

1 ballots to such applicants or the agents named in the applications when  
2 such applicants or agents appear in the village clerk's office.

3 9. The early mail ballot shall be caused to be prepared and printed by  
4 the village clerk as provided by law for paper ballots or machine  
5 ballots, whichever are to be used in said election and appropriate  
6 modifications for the purposes of this section. The village clerk shall  
7 also cause to be prepared and printed return envelopes addressed to  
8 themselves, conforming so far as may be practicable to the provisions of  
9 this chapter stating thereon that in order for the ballot contained  
10 therein to be counted it must be received by the village clerk not later  
11 than the close of the polls on election day. On the reverse side of each  
12 return envelope there shall be written instructions for the voter to  
13 insert at designated places their signature, their name printed, their  
14 residence address within the village and their village election district  
15 if there be more than one district within the village.

16 10. The method of marking, preparing and mailing such ballot for  
17 voting shall conform, wherever practicable, to the methods used for  
18 early mail ballots for a general election, except that the envelope in  
19 which it is contained shall be returned to the village clerk. On the day  
20 of the election, the village clerk shall deliver all such ballots, which  
21 have been returned to them, in the sealed envelopes to the board of  
22 inspectors of election of the proper election district. No such ballot  
23 shall be deemed to have been voted unless or until it shall have been  
24 delivered to the board of inspectors of election of the election  
25 district in which the elector casting the ballot resides and shall have  
26 been deposited by the chairman of such board in the box provided for  
27 receiving such ballot.

28 11. When such ballots shall have been delivered to the board of  
29 inspectors of election of the proper election district and shall have  
30 been duly determined by such board to have been lawfully cast by a qual-  
31 ified elector of such district, the chairman of such board shall, after  
32 the close of the polls, open the envelopes containing such ballots and,  
33 without unfolding such ballots or permitting the face thereof to be  
34 exposed to the view of anyone, shall deposit each such ballot in a box  
35 specifically furnished for such purpose by the village clerk. If the  
36 board of inspectors shall determine that any such ballot has been cast  
37 by an elector who would not be qualified under the provisions of this  
38 section, then such ballot shall not be counted.

39 12. After all the ballots shall have been deposited, the box shall be  
40 opened and such ballots canvassed in the same manner as other ballots  
41 cast at such election and shall be counted and included in the total of  
42 all ballots cast at such election.

43 § 9. Subdivision 4 of section 15-120 of the election law is amended by  
44 adding a new paragraph (c-1) to read as follows:

45 (c-1) Provided that, if the applicant does not provide a reason that  
46 the applicant is entitled to an absentee ballot as required by paragraph  
47 (c) of this subdivision, the application shall be processed as an appli-  
48 cation for an early mail ballot pursuant to section 15-119 of this arti-  
49 cle.

50 § 10. Subdivision 5 of section 15-120 of the election law, as amended  
51 by chapter 289 of the laws of 2014, is amended to read as follows:

52 5. An application must be received by the village clerk no earlier  
53 than four months before the election for which an absentee ballot is  
54 sought. If the application requests that the absentee ballot be mailed,  
55 such application must be received not later than seven days before the  
56 election. If the applicant or his or her agent delivers the application

1 to the village clerk in person, such application must be received not  
2 later than the day before the election. The village clerk shall examine  
3 each application and shall determine from the information contained  
4 therein whether the applicant is qualified under this section to receive  
5 an absentee ballot. Provided that, an application for an absentee ballot  
6 that does not provide a reason that the applicant is entitled to such a  
7 ballot shall be processed as an application for an early mail ballot  
8 pursuant to paragraph (c-1) of subdivision three of this section and  
9 section 15-119 of this article. The clerk in making such decision shall  
10 not determine whether the applicant is a qualified elector, said deter-  
11 mination being reserved to the inspectors of election as is hereinafter  
12 provided in subdivision nine of this section.

13 § 11. Subdivision 6 of section 15-122 of the election law, as amended  
14 by chapter 84 of the laws of 1986, is amended to read as follows:

15 6. Printed forms containing the application for the absentee ballot,  
16 in accordance with the requirements of this section, shall be in the  
17 form prescribed by the state board of elections and shall be provided by  
18 the village clerk and shall be available at the office of the clerk.  
19 Application forms for absentee ballots for use pursuant to this section  
20 shall be furnished by the village clerk upon request of the person  
21 authorized to vote under this section or by any such person's spouse,  
22 parent, child, authorized agent or any nurse charged with the care of  
23 such person. The printed form shall indicate that if the applicant does  
24 not indicate that they will be unable to appear personally at the poll-  
25 ing place within the village because of the reasons set forth in subdivi-  
26 vision one on the application, the application will be processed as an  
27 application for an early mail ballot, and the applicant will be sent an  
28 early mail ballot if otherwise eligible.

29 § 11-a. Paragraph b of subdivision 2 of section 15-124 of the election  
30 law is amended to read as follows:

31 b. the investigation of any registrant or any applicant for an early  
32 mail or absentee ballot to determine his or her qualifications to be  
33 registered or vote, and

34 § 12. Subdivision 4 of section 3-108 of the election law is amended to  
35 read as follows:

36 4. Only those persons duly registered to vote upon the original date  
37 of the general election who did not vote on such date shall be entitled  
38 to vote on the additional day for voting. Voting on the additional day  
39 provided for in this section shall be accomplished solely by physically  
40 appearing at the polling place and nothing contained in this section  
41 shall be construed to extend the time set by law for casting or canvass-  
42 ing a military, early mail, absentee or special presidential ballot;  
43 provided, however, that nothing contained herein shall be deemed to  
44 invalidate any early mail, absentee, military or special presidential  
45 ballot duly received on the original date of the general election.

46 § 13. Subdivision 3 of section 3-222 of the election law, as amended  
47 by chapter 282 of the laws of 2011, is amended to read as follows:

48 3. Except as hereinafter provided, packages of protested, void and  
49 wholly blank ballots, open packages of unused ballots and all early  
50 mail, absentee and military, special federal, special presidential and  
51 emergency ballots and ballot envelopes, if any, opened or unopened,  
52 shall be preserved for two years after the election. Sealed packages of  
53 unused ballots shall be retained for four months, and may then be  
54 destroyed, provided a certificate articulating the election district  
55 identifying data and numbers of such ballots is filed with the balance  
56 of ballots described in this section, for the balance of the two year

1 retention period. Except as hereinafter provided, boxes containing voted  
2 paper ballots, if any shall be preserved inviolate for four months after  
3 the election, or until one month before the next election occurring  
4 within five months after a preceding election if such boxes are needed  
5 for use at such next election and if the officer or board in charge of  
6 such voted paper ballots is required by law to furnish ballot boxes  
7 therefor. Provided, however, that such ballot boxes and such packages  
8 may be opened, and their contents and the early mail, absentee and mili-  
9 tary, special federal, special presidential and emergency ballots and  
10 ballot envelopes may be examined, upon the order of any court or justice  
11 of competent jurisdiction. Boxes and envelopes containing early mail,  
12 absentee, military and emergency ballots voted at a general or special  
13 election, for the office of member of the senate or assembly, packages  
14 of void, protested and wholly blank ballots, unopened early mail, absen-  
15 tee and military ballot envelopes and the packages of unused ballots, in  
16 connection with such election, also may be opened, and their contents  
17 and such envelopes also may be examined, by direction of a committee of  
18 the senate or assembly to investigate and report on contested elections  
19 of members of the legislature. Unless otherwise ordered or directed by  
20 such a court, justice or committee, such boxes shall be opened and their  
21 contents and such packages and the envelopes containing voted ballots  
22 and ballot envelopes shall be destroyed, at the expiration of the period  
23 during which they are required by the provisions of this section to be  
24 preserved, except that instead of being destroyed, they may be sold and  
25 the proceeds paid over in the manner provided with respect to the sale  
26 of books, records and papers pertaining to an election.

27 § 14. Section 3-506 of the election law, as added by chapter 244 of  
28 the laws of 2009, is amended to read as follows:

29 § 3-506. Boards of elections; voting materials in Russian. A board of  
30 elections in a city of over one million shall provide the same informa-  
31 tion in Russian that it provides in languages other than English on its  
32 website. It shall also produce and disseminate citywide a booklet that  
33 includes: (a) a voter registration form in English with instructions in  
34 Russian; (b) instructions in Russian regarding the criteria and applica-  
35 tion process for obtaining an early mail or absentee ballot; and (c) a  
36 section with general voter information in Russian including frequently  
37 asked questions. Such board may include other languages on its website  
38 and in such booklet.

39 § 15. Subdivision 1 of section 4-117 of the election law, as amended  
40 by chapter 175 of the laws of 2022, is amended to read as follows:

41 1. The board of elections, between the third Tuesday in April and the  
42 second Friday in May in each year, shall send by mail on which is  
43 endorsed such language designated by the state board of elections to  
44 ensure postal authorities do not forward such mail but return it to the  
45 board of elections with forwarding information, when it cannot be deliv-  
46 ered as addressed and which contains a request that any such mail  
47 received for persons not residing at the address be dropped back in the  
48 mail, a communication, in a form approved by the state board of  
49 elections, to every registered voter who has been registered without a  
50 change of address since the beginning of such year, except that the  
51 board of elections shall not be required to send such communications to  
52 voters in inactive status. The communication shall notify the voter in  
53 bold print contained in such notice of the days and hours of the ensuing  
54 primary and general elections, the place where he or she appears by his  
55 or her registration records to be entitled to vote, and also in other  
56 than bold type of the fact that voters who have moved or will have moved

1 from the address where they were last registered must either notify the  
2 board of elections of his or her new address or vote by paper ballot at  
3 the polling place for his or her new address even if such voter has not  
4 re-registered, or otherwise notified the board of elections of the  
5 change of address. If the primary will not be held on the first Tuesday  
6 after the second Monday in September, the communication shall contain a  
7 conspicuous notice in all capital letters and bold font notifying the  
8 voter of the primary date. If the location of the polling place for the  
9 voter's election district has been moved, the communication shall  
10 contain the following legend in bold type: "YOUR POLLING PLACE HAS BEEN  
11 CHANGED. YOU NOW VOTE AT.....". The communication shall indicate  
12 that any registered voter may vote early by mail by applying for an  
13 early mail ballot, and provide information on how to apply for an early  
14 mail ballot. The communication shall also indicate whether the polling  
15 place is accessible to physically disabled voters, that a voter who will  
16 be out of the city or county on the day of the primary or general  
17 election or a voter who is ill or physically disabled may obtain an  
18 absentee ballot, that a physically disabled voter whose polling place is  
19 not accessible may request that his registration record be moved to an  
20 election district which has a polling place which is accessible, the  
21 phone number to call for applications to move a registration record or  
22 for early mail or absentee ballot applications, the phone number to call  
23 for the location of registration and polling places, the phone number to  
24 call to indicate that the voter is willing to serve on election day as  
25 an election inspector, poll clerk, interpreter or in other capacities,  
26 the phone number to call to obtain an application for registration by  
27 mail, and such other information concerning the elections or registra-  
28 tion as the board may include. In lieu of sending such communication to  
29 every registered voter, the board of elections may send a single commu-  
30 nication to a household containing more than one registered voter,  
31 provided that the names of all such voters appear as part of the address  
32 on such communication.

33 § 16. Subdivision 1 of section 4-119 of the election law, as amended  
34 by chapter 992 of the laws of 1984, is amended to read as follows:

35 1. The board or body authorized to designate places for registration  
36 in any city, other than the city of New York, shall publish on each day  
37 of registration a list of the places for registration designated within  
38 such city in two newspapers published in such city. The lists shall  
39 refer to the election districts by their numbers and wards or assembly  
40 districts. Such lists shall identify those polling places which do not  
41 provide access to handicapped voters. The board of elections of the city  
42 of New York shall publish in at least two newspapers in such city, a  
43 notice, at least one-half page in size, in English and such other  
44 languages as such board deems appropriate which shall set forth the  
45 dates and hours of registration and the phone number to call for infor-  
46 mation about location of polling places, their accessibility to the  
47 handicapped, applications for early mail and absentee ballots and any  
48 other subjects which such board deems appropriate. So far as is consist-  
49 ent with the provisions of this section, one of such newspapers in each  
50 such city or, in each county of the city of New York, shall represent  
51 each of the major political parties and shall have a large circulation  
52 affording wide publicity. If the newspaper is an evening newspaper the  
53 notice shall be published on the last day, other than a Sunday, prior to  
54 any such day of registration.

55 § 17. Subdivision 3 of section 4-120 of the election law, as amended  
56 by chapter 359 of the laws of 1989, is amended to read as follows:

1 3. The board of elections of the city of New York shall publish on the  
2 eighth day before and the day before each general election, in at least  
3 two newspapers in such city, a notice, at least one-half page in size,  
4 in English and such other languages as such board deems appropriate,  
5 which sets forth the dates and hours of the election and the phone  
6 number to call for information about the location of polling places,  
7 their accessibility to the handicapped, applications for early mail and  
8 absentee ballots and any other subjects which such board deems appropri-  
9 ate.

10 § 18. Subdivision 9 of section 5-210 of the election law, as amended  
11 by chapter 113 of the laws of 2023, is amended to read as follows:

12 9. The county board of elections shall, as soon as practicable and in  
13 any event, not later than seven days after receipt by it of the applica-  
14 tion, verify the identity of the applicant. In order to do so, the coun-  
15 ty board of elections shall utilize the information provided in the  
16 application and shall attempt to verify such information with the infor-  
17 mation provided by the department of motor vehicles, social security  
18 administration and any other lawful available information source. If the  
19 county board of elections is unable to verify the identity of the appli-  
20 cant within seven days of the receipt of the application, it shall imme-  
21 diately take steps to confirm that the information provided by the  
22 applicant was accurately utilized by such county board of elections, was  
23 accurately verified with other information sources and that no data  
24 entry error, or other similar type of error, occurred. Following  
25 completion of the preceding steps, the county board of elections shall  
26 mail (a) a notice of its approval, (b) a notice of its approval which  
27 includes an indication that such board has not yet been able to verify  
28 the identity of the applicant and a request for more information so that  
29 such verification may be completed, or (c) a notice of its rejection of  
30 the application to the applicant in a form approved by the state board  
31 of elections. Notices of approval, notices of approval with requests for  
32 more information or notices of rejection shall be sent by nonforwardable  
33 first class or return postage guaranteed mail on which is endorsed such  
34 language designated by the state board of elections to ensure postal  
35 authorities do not forward such mail but return it to the board of  
36 elections with forwarding information, when it cannot be delivered as  
37 addressed and which contains a request that any such mail received for  
38 persons not residing at the address be dropped back in the mail. The  
39 voter's registration and enrollment shall be complete upon receipt of  
40 the application by the appropriate county board of elections. The fail-  
41 ure of a county board of elections to verify an applicant's identity  
42 shall not be the basis for the rejection of a voter's application,  
43 provided, however, that such verification failure shall be the basis for  
44 requiring county board of elections to take the additional verification  
45 steps provided by this chapter. The notice shall also advise the regis-  
46 trant of the date when their registration and enrollment is effective,  
47 of the date and the hours of the next regularly scheduled primary or  
48 general election in which such registrant will be eligible to vote, of  
49 the location of the polling place of the election district in which such  
50 registrant is or will be a qualified voter, whether such polling place  
51 is accessible to physically handicapped voters, an indication that any  
52 registered voter may vote early by mail and information on how to obtain  
53 an early mail ballot, that physically handicapped voters or voters who  
54 are ill or voters who will be out of the city or county on the day of  
55 the primary or general election, may obtain an absentee ballot and the  
56 phone number to call for absentee ballot applications, the phone numbers

1 to call for location of polling places, to obtain registration forms and  
2 the phone number to call to indicate that the voter is willing to serve  
3 on election day as an inspector, poll clerk or interpreter. The notice  
4 of approval, notice of approval with request for more information or  
5 notice of rejection shall also advise the applicant to notify the board  
6 of elections if there is any inaccuracy. The form of such mail notifica-  
7 tion shall be prescribed by the state board of elections and shall  
8 contain such other information and instructions as it may reasonably  
9 require to carry out the purposes of this section. The request for more  
10 information shall inform the voter that "THE FAILURE TO CONTACT THE  
11 BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE APPLICATION OR  
12 PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A REQUEST FOR  
13 IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A VOTING  
14 MACHINE." If such notice is returned undelivered without a new address,  
15 the board shall forthwith send such applicant a confirmation notice  
16 pursuant to the provisions of section 5-712 of this article and place  
17 such applicant in inactive status. The state board of elections shall  
18 prepare uniform notices by this section as provided for in subdivision  
19 eight of section 3-102 of this chapter.

20 § 19. Subdivision 18 of section 5-211 of the election law, as amended  
21 by section 1 of subpart M of part XX of chapter 55 of the laws of 2020,  
22 is amended to read as follows:

23 18. (a) (i) On or before January first, two thousand twenty, all  
24 institutions of the state university of New York and the city university  
25 of New York shall create and make available to all students a webpage  
26 for voter education on each such institution's website, containing a  
27 link to an application for voter registration, a link to an application  
28 for an [~~absentee~~] early mail ballot, contact information for the county  
29 board of elections, and the name and contact information for the admin-  
30 istrator responsible for voter registration assistance on each campus.

31 (ii) Each such institution shall, at the beginning of the school year,  
32 and again in January of a year in which the president of the United  
33 States is to be elected, provide an application for voter registration  
34 and an application for an [~~absentee~~] early mail ballot to each student  
35 in each such institution. Each institution shall be considered in  
36 compliance with the requirements of this subparagraph for each student  
37 to whom the institution electronically transmits a message containing  
38 the link to the webpage for voter education, the link to an application  
39 for voter registration and the link to an application for an [~~absentee~~]  
40 early mail ballot, if such information is in an electronic message  
41 devoted exclusively to voter registration.

42 (iii) Each such institution shall provide the same degree of assist-  
43 ance as required of participating agencies.

44 (b) The state university of New York and the city university of New  
45 York, on behalf of each institution within its system, shall on or  
46 before June first, two thousand twenty, and each subsequent year, submit  
47 a report disaggregated according to each institution to the state board  
48 of elections that includes:

49 (i) the efforts of the institution to register voters in the preceding  
50 calendar year;

51 (ii) a date-stamped screen shot of the webpage for voter education  
52 that contains the required information under paragraph (a) of this  
53 subdivision;

54 (iii) the number of students who were registered for course work in  
55 the preceding twelve months at such institution and the number of clicks

1 on the links to online voter registration and [~~absentee~~] early mail  
2 ballot applications; and  
3 (iv) any other efforts or recommendations the institution plans to  
4 implement to improve access to voter registration and [~~absentee~~] early  
5 mail ballot voting for students at the institution.

6 (c) The state board of elections shall make the reports provided  
7 pursuant to paragraph (b) of this subdivision publicly available on its  
8 website.

9 § 20. Subdivision 5 of section 5-215 of the election law, as amended  
10 by chapter 375 of the laws of 2015, is amended to read as follows:

11 5. If a veterans health administration hospital in which any veteran  
12 entitled to vote in this state is a resident or patient, is located  
13 outside the State of New York, an application for an early mail or  
14 absentee ballot signed by such veteran or his or her spouse, parent or  
15 child accompanying or being with him or her, if a qualified voter and a  
16 resident of the same election district, shall constitute permanent  
17 personal registration.

18 § 21. Subdivision 1 of section 5-502 of the election law, as amended  
19 by chapter 510 of the laws of 1985, is amended to read as follows:

20 1. The board of elections shall furnish in time for use by the boards  
21 of inspectors of election, the registration records, an American flag, a  
22 map or certified description of the election district, and the adjoining  
23 election districts, challenge affidavits, early mail ballot applica-  
24 tions, absentee voting applications, a list of voters who are currently  
25 registered in the election district, a list of those voters who have  
26 been cancelled in the last year with the reason for such cancellations,  
27 forms for statements of temporary absence, a sufficient number of copies  
28 of the ballot proposals to be submitted to the voters at the ensuing  
29 election, at least one copy of the instruction booklet for inspectors  
30 and all other forms and supplies required for the administration of the  
31 registration system as provided by this article.

32 § 22. Paragraph i of subdivision 3 of section 5-614 of the election  
33 law, as added by chapter 24 of the laws of 2005, is amended to read as  
34 follows:

35 i. allow local boards of elections, using their own systems, to  
36 perform essential election functions including but not limited to proc-  
37 essing of early mail voters, absentee voters, administration of poll  
38 workers and polling places, assignment of election jurisdictions based  
39 on residence and address and other functions necessary for the conduct  
40 of elections using voter registration information from the official  
41 statewide voter registration list.

42 § 23. Subdivision 2-a and subparagraph (ii) of paragraph (e) of subdivi-  
43 sion 3 of section 8-302 of the election law, subdivision 2-a as added  
44 by chapter 763 of the laws of 2021, and subparagraph (ii) of paragraph  
45 (e) of subdivision 3 as amended by chapter 113 of the laws of 2023, are  
46 amended to read as follows:

47 2-a. If a voter's name appears in the ledger or computer generated  
48 registration list with a notation indicating that the board of elections  
49 has issued the voter an early mail, absentee, military or special  
50 ballot, such voter shall not be permitted to vote on a voting machine at  
51 an early voting site or on election day but may vote by affidavit  
52 ballot.

53 (ii) They may swear to and subscribe an affidavit stating that they  
54 have duly registered to vote, the address in such election district from  
55 which they registered, that they remain a duly qualified voter in such  
56 election district, that their registration poll record appears to be

1 lost or misplaced or that their name and/or their signature was omitted  
2 from the computer generated registration list or such record indicates  
3 the voter already voted when they did not do so or that they have moved  
4 within New York state since they last registered, the address from which  
5 they were previously registered and the address at which they currently  
6 reside, and at a primary election, the party in which they are enrolled.  
7 The inspectors of election shall offer such an affidavit to each such  
8 voter whose residence address is in such election district. Each such  
9 affidavit shall be in a form prescribed by the state board of elections,  
10 shall be printed on an envelope of the size and quality used for an  
11 [absentee] early mail ballot envelope, and shall contain an acknowledg-  
12 ment that the affiant understands that any false statement made therein  
13 is perjury punishable according to law. Such form prescribed by the  
14 state board of elections shall request information required to register  
15 such voter should the county board determine that such voter is not yet  
16 registered and shall constitute an application to register to vote. The  
17 voter's name and the entries required shall then be entered without  
18 delay and without further inquiry in the fourth section of the challenge  
19 report or in the place provided in the computer generated registration  
20 list, with the notation that the voter has executed the affidavit  
21 hereinabove prescribed, or, if such person's name appears in such regis-  
22 tration list, the board of elections may provide a place to make such  
23 entry next to their name in such list. The voter shall then, without  
24 further inquiry, be permitted to vote an affidavit ballot provided for  
25 by this chapter. Such ballot shall thereupon be placed in the envelope  
26 containing their affidavit, and the envelope sealed and returned to the  
27 board of elections in the manner provided by this chapter for protested  
28 official ballots, including a statement of the number of such ballots.

29 § 24. Section 8-502 of the election law, as amended by chapter 373 of  
30 the laws of 1978, is amended to read as follows:

31 § 8-502. Challenges; generally. Before his vote is cast at an election  
32 any person may be challenged as to his right to vote, or his right to  
33 vote by early mail, absentee, military, special federal or special pres-  
34 idential ballot. Such challenge may be made by an inspector or clerk, by  
35 any duly appointed watcher, or by any registered voter properly in the  
36 polling place. An inspector shall challenge every person offering to  
37 vote, whom he shall know or suspect is not entitled to vote in the  
38 district, and every person whose name appears on the list of persons to  
39 be challenged on election day which is furnished by the board of  
40 elections.

41 § 25. The section heading and subdivision 1 of section 8-506 of the  
42 election law, the section heading as amended by chapter 8 of the laws of  
43 1978 and subdivision 1 as amended by chapter 40 of the laws of 2009, are  
44 amended to read as follows:

45 Challenges; early mail, absentee, military, special federal and  
46 special presidential ballots. 1. During the examination of early mail,  
47 absentee, military, special federal and special presidential voters'  
48 ballot envelopes, any inspector shall, and any watcher or registered  
49 voter properly in the polling place may, challenge the casting of any  
50 ballot upon the ground or grounds allowed for challenges generally, or  
51 (a) that the voter was not entitled to cast an early mail, absentee,  
52 military, special federal or special presidential ballot, or (b) that  
53 notwithstanding the permissive use of titles, initials or customary  
54 abbreviations of given names, the signature on the ballot envelope does  
55 not correspond to the signature on the registration poll record, or (c)  
56 that the voter died before the day of the election. A challenge to an

1 early mail ballot may not be made on the basis that the voter should  
2 have applied for an absentee ballot. A challenge to an absentee ballot  
3 may not be made on the basis that the voter should have applied for an  
4 early mail ballot.

5 § 26. Subdivisions 1 and 3 of section 9-124 of the election law, as  
6 amended by chapter 437 of the laws of 2019, are amended to read as  
7 follows:

8 1. After the returns of the canvass are made out and signed, the  
9 inspectors shall enclose the ballot stubs, protested and void ballots  
10 and the ballots cast in affidavit envelopes in separate sealed envelopes  
11 or containers and endorse thereon a certificate signed by each of them  
12 stating the number of the district and the number of ballots contained  
13 in such envelopes or containers. The inspectors shall enclose the  
14 unscanned voted ballots canvassed in accordance with section 9-110 of  
15 this title in a separate sealed envelope or container and endorse there-  
16 on a certificate signed by each of them stating the number of the  
17 district, ballot scanner identification information and the number of  
18 ballots contained in such envelope or container. The inspectors shall  
19 then package and seal the other voted ballots and place them in one or  
20 more boxes or containers, and include within such boxes or containers  
21 one portable memory device from each ballot scanner pursuant to para-  
22 graph (d) of subdivision two of section 9-102 of this title, and any  
23 early mail, absentee, military, special federal, or special presidential  
24 ballots which may have been delivered to the poll site during election  
25 day, and securely lock and seal such boxes or containers. Notwithstand-  
26 ing the preceding sentence, such portable memory device from each ballot  
27 scanner with the corresponding results tape may be enclosed in a sealed  
28 container and transported prior to and separately from other materials  
29 referenced in this section for the purpose of using such device to  
30 provide an unofficial tally of results as required by section 9-126 of  
31 this title.

32 3. (a) Except in the city of New York, the registration poll records  
33 or computer generated registration lists, the returns of canvass with  
34 results tapes and tally sheets, if any, annexed, the voted ballots,  
35 stubs, opened packages of unused ballots and ballot envelopes, any early  
36 mail, absentee, military, special federal, or special presidential  
37 ballots which may have been delivered to the poll site during election  
38 day, the challenge report records, keys and the package of protested and  
39 void ballots shall be filed with the board of elections.

40 (b) Records and supplies to be filed with a city, town or village  
41 clerk shall be so filed or delivered immediately after the completion of  
42 the returns of the canvass, by an inspector designated by the board of  
43 inspectors. Returns, papers and registration poll records or computer  
44 generated registration lists to be filed with the board of elections  
45 shall be so filed by the chairman of the board of inspectors within  
46 twenty-four hours after the completion of such returns. The person  
47 receiving such returns in the board of elections shall give to the  
48 person delivering the returns a receipt stating therein the date and  
49 hour of delivery, the name of the person making the delivery, and to  
50 whom said returns were delivered and shall keep a duplicate of said  
51 receipt on file in the office of the board of elections.

52 (c) In the city of New York, the board of inspectors shall deliver to  
53 police or peace officers designated by the police commissioner of such  
54 city, at the polling place the registration poll records or computer  
55 generated registration lists, challenge report, records, keys, other  
56 election supplies, including two copies of the returns of the canvass

1 and any early mail, absentee, military, special federal, or special  
2 presidential ballots which may have been delivered to the poll site  
3 during election day, voted ballots, stubs, open packages of unused  
4 ballots and ballot envelopes. Such police or peace officers shall file  
5 the returns, the package of void and protested ballots, if any, and the  
6 early mail, absentee, military, special federal, or special presidential  
7 ballots which may have been delivered to the poll site during election  
8 day; and emergency ballots, stubs and ballot envelopes, if any, within  
9 twenty-four hours after the close of the polls, in the office of the  
10 board of elections or its branch office within the borough, as the case  
11 may be.

12 § 27. The section heading and opening paragraph, subdivision 1, the  
13 subdivision heading and opening paragraph of subdivision 2, paragraphs  
14 (a) and (b) of subdivision 4, the subdivision heading and paragraph (f)  
15 of subdivision 6, paragraphs (a) and (k) of subdivision 7, the subdivi-  
16 sion heading and paragraph (a) of subdivision 8 and subdivision 9 of  
17 section 9-209 of the election law, as added by chapter 763 of the laws  
18 of 2021, are amended to read as follows:

19 Canvass of early mail, absentee, military and special ballots, and  
20 ballots cast in affidavit envelopes. Before completing the canvass of  
21 votes cast in any primary, general, special, or other election at which  
22 voters are required to sign their registration poll records before  
23 voting, the board of elections shall proceed in the manner hereinafter  
24 prescribed to review, cast and canvass early mail, any absentee, mili-  
25 tary, special presidential, special federal or other special ballots and  
26 any ballots cast in affidavit envelopes. Each such ballot shall be  
27 retained in the original envelope containing the voter's affidavit and  
28 signature, in which it is delivered to the board of elections until such  
29 time as it is to be reviewed, in order to be cast and canvassed.

30 1. Central board of canvassers. Within four days of the receipt of an  
31 early mail, absentee, military or special ballot, the board of elections  
32 shall designate itself or such of its employees as it shall deem appro-  
33 priate as a set of poll clerks to review such ballot envelopes. The  
34 board may designate additional sets of poll clerks and if it designates  
35 more than one such set shall apportion among all such sets the election  
36 districts from which such ballots have been received, provided that when  
37 reviewing ballots, all ballots from a single election district shall be  
38 assigned to a single set of clerks, and that each such set shall be  
39 divided equally between representatives of the two major political  
40 parties. Each such set of clerks shall be deemed a central board of  
41 canvassers for purposes of this section.

42 Review of early mail, absentee, military and special ballot envelopes.  
43 Within four days of the receipt of an early mail, absentee, military or  
44 special ballot before the election, and within one day of receipt on or  
45 after the election, each central board of canvassers shall examine the  
46 ballot affirmation envelopes as nearly as practicable in the following  
47 manner:

48 (a) Such central board of canvassers shall review any federal write-in  
49 absentee ballots validly cast by an early mail voter, an absentee voter,  
50 a military voter or a special federal voter for the offices of president  
51 and vice-president, United States senator and representative in  
52 congress. Such central board of canvassers shall also review any federal  
53 write-in absentee ballots validly cast by a military voter for all ques-  
54 tions or proposals, public offices or party positions for which a mili-  
55 tary voter is otherwise eligible to vote as provided in section 10-104  
56 of this chapter.

1 (b) Federal write-in absentee ballots shall be deemed valid only if:  
2 (i) an application for an early mail, absentee, military or special  
3 federal ballot was received from the early mail, absentee, military or  
4 special federal voter; (ii) the federal write-in absentee ballot was  
5 submitted from inside or outside the United States by a military voter  
6 or was submitted from outside the United States by a special federal  
7 voter; (iii) such ballot is received by the board of elections not later  
8 than thirteen days following the day of election or seven days after a  
9 primary election; and (iv) the early mail, absentee, military or special  
10 federal ballot which was sent to the voter is not received by the board  
11 of elections by the thirteenth day following the day of a general or  
12 special election or the seventh day after a primary election.

13 Casting and canvassing of early mail, absentee, military and special  
14 ballots.

15 (f) Upon completing the casting and canvassing of any remaining valid  
16 ballots as hereinabove provided for any election district, the central  
17 board of canvassers shall thereupon, as nearly as practicable in the  
18 manner provided in this article for early mail, absentee, military and  
19 special ballots, verify the number of ballots so cast, tally the votes  
20 so cast, add such tally to the previous tally of all votes cast in such  
21 election district, and record the result.

22 (a) Within four business days of the election, the board of elections  
23 shall review all affidavit ballots cast in the election. If the central  
24 board of canvassers determines that a person was entitled to vote at  
25 such election it shall cast and canvass such affidavit ballot; provided,  
26 however, if the board of elections receives one or more timely early  
27 mail or absentee ballots from a voter who also cast an affidavit ballot  
28 at a poll site, the last such timely early mail or absentee ballot  
29 received shall be canvassed and the affidavit ballot shall be set aside  
30 unopened; and provided further, if a voter was issued an early mail or  
31 absentee ballot and votes in person via an affidavit ballot and the  
32 board does not receive such early mail or absentee ballot, the affidavit  
33 ballot shall be canvassed if the voter is otherwise qualified to vote in  
34 such election.

35 (k) The board of elections shall enter information into the ballot  
36 tracking system, as defined in [~~section~~] sections 8-414 and 8-712 of  
37 this chapter, to allow a voter who cast a ballot in an early voting or  
38 affidavit envelope to determine if the vote was counted.

39 Post-election review of invalid early mail, absentee, military and  
40 special ballots. (a) Within four business days of the election, the  
41 board of elections shall designate itself or such of its employees to  
42 act as a central board of canvassers as provided in subdivision one of  
43 this section and meet to review early mail, absentee, military and  
44 special ballots determined to be invalid pursuant to paragraph (a) of  
45 subdivision two of this section, ballot envelopes that were returned to  
46 the board as undeliverable, and ballot envelopes containing one or more  
47 curable defects that have not been timely cured.

48 9. State board of elections; powers and duties for canvassing of early  
49 mail, absentee, military, special and affidavit ballots. The state board  
50 of elections shall promulgate rules and regulations necessary for the  
51 implementation of the provisions of this section. Such rules and regu-  
52 lations shall include, but not be limited to, provisions to (a) ensure  
53 an efficient and fair review process that respects the privacy of the  
54 voter, (b) ensure the security of the central count scanners used before  
55 election day, and (c) ensure that ballots cast as provided in this  
56 section are canvassed and counted as if cast on election day.

1 § 28. Section 10-122 of the election law, the section heading as  
2 amended by chapter 373 of the laws of 1978, is amended to read as  
3 follows:

4 § 10-122. Military voter; early mail or absentee ballot, right to. Any  
5 military voter may vote by early mail ballot or absentee ballot rather  
6 than military ballot provided that he complies with the provisions of  
7 this chapter relating thereto.

8 § 29. Subdivision 2 of section 10-124 of the election law, as added by  
9 chapter 262 of the laws of 2003, is amended to read as follows:

10 2. The state board of elections shall be responsible for providing  
11 information regarding voter registration procedures and [~~absentee~~]  
12 ballot procedures applicable to military and special federal voters  
13 wishing to register or vote in any jurisdiction of the state.

14 § 30. Section 11-300 of the election law, as amended by chapter 163 of  
15 the laws of 2010, is amended to read as follows:

16 § 11-300. Special ballots on account of religious scruples. A voter  
17 may deliver to the inspectors of election of the election district in  
18 which he is registered, or to the board of elections, at any time during  
19 the period in which an application for early mail or absentee ballot may  
20 be so delivered pursuant to the provisions of this chapter, a written  
21 statement of religious scruples against voting at a polling place  
22 located in a premises used for religious purposes. In the event the  
23 polling place for any such voter's election district shall be located in  
24 a premises used for religious purposes, the board of elections shall  
25 permit such voter to cast a special ballot, at an office of such board  
26 of elections, not earlier than one week before the election and not  
27 later than the close of the polls on election day. Such ballots shall be  
28 retained at the board of elections and cast and canvassed pursuant to  
29 the provisions of section 9-209 of this chapter.

30 § 30-a. Subdivision 1 of section 11-306 of the election law, as  
31 amended by chapter 150 of the laws of 2019, is amended to read as  
32 follows:

33 1. A voter may deliver to the board of elections, in person or by  
34 mail, at any time during the period in which early mail or absentee  
35 ballot applications may be delivered, a signed written statement swear-  
36 ing or affirming:

37 (a) that he or she is the victim of domestic violence;

38 (b) that he or she has left his or her residence because of such  
39 violence; and

40 (c) that because of the threat of physical or emotional harm to  
41 himself or herself or to family or household members, he or she wishes  
42 to cast a special ballot in the next election. The statement must  
43 include the voter's address of registration. The board of elections  
44 shall permit such a voter to cast a special ballot at an office of such  
45 board of elections not later than the close of the polls on election  
46 day, or by mail within the same time and in the same manner in which  
47 early mail or absentee ballots may be cast, provided however that the  
48 distribution of such ballots to such voters shall be timed to afford  
49 such voters sufficient time to cast such ballots prior to the close of  
50 the polls on election day. Such ballots shall be retained at the board  
51 of elections and cast and canvassed pursuant to the provisions of  
52 section 9-209 of this chapter.

53 § 30-b. Subdivisions 1 and 2 of section 11-308 of the election law, as  
54 added by chapter 485 of the laws of 2016, are amended to read as  
55 follows:

1 1. A registered voter who serves as an emergency responder in times of  
2 emergency, as declared by the governor or a court of competent jurisdic-  
3 tion, may apply to the board of elections by letter or special applica-  
4 tion via mail, facsimile or e-mail, for a special ballot. Such applica-  
5 tion or letter may be delivered to the board of elections at any time  
6 prior to any election, without regard to deadlines for the receipt of  
7 early mail or absentee ballot applications.

8 2. Emergency responders may utilize an early mail or absentee ballot  
9 application to request a special ballot, or may file a written statement  
10 that he or she will be unable to appear at the polling place on the day  
11 of an election because his or her duties as an emergency responder  
12 require such voter to be elsewhere. The emergency responder shall desig-  
13 nate a preference for the receipt of a special ballot. The board of  
14 elections shall provide such voter a special ballot immediately upon  
15 such request, and shall utilize overnight express delivery for such mail  
16 ballot delivery. If the designated preference is for facsimile or elec-  
17 tronic transmission, the ballot shall be furnished in the same manner  
18 applicable to military voters who request ballots in such format.

19 § 31. Section 15-100 of the election law, as amended by chapter 359 of  
20 the laws of 1989, is amended to read as follows:

21 § 15-100. Application of article. This article applies to all general  
22 and special village elections for officers and all the provisions of  
23 this chapter, not inconsistent with this article, shall apply to all  
24 village elections, except that if a village has adopted a resolution  
25 pursuant to paragraph c of subdivision one of section 15-104 of this  
26 article, the other provisions of this chapter governing the conduct of  
27 elections and proceedings relating thereto, including the manner and  
28 times for making nominations and proceedings relating to early mail and  
29 absentee voting, and the provisions of this article not inconsistent  
30 with other provisions of this chapter shall apply to such elections.

31 § 32. Subdivision 8 of section 15-118 of the election law, as amended  
32 by chapter 217 of the laws of 1992, is amended to read as follows:

33 8. The village clerk shall furnish the inspectors of election, at  
34 village expense, with all necessary registration books, papers, equip-  
35 ment and supplies. The village clerk shall also deliver to the inspec-  
36 tors a list of all persons who have applied for early mail or absentee  
37 ballots for the election for which the registration meeting is being  
38 held.

39 § 33. Subdivisions 1 and 5 of section 16-106 of the election law, as  
40 amended by chapter 763 of the laws of 2021, are amended to read as  
41 follows:

42 1. The post-election refusal to cast: (a) challenged ballots, blank  
43 ballots, or void ballots; (b) early mail, absentee, military, special,  
44 or federal write-in ballots; (c) emergency ballots; and (d) ballots  
45 voted in affidavit envelopes may be contested in a proceeding instituted  
46 in the supreme or county court, by any candidate or the chairman of any  
47 party committee, and by any voter with respect to the refusal to cast  
48 such voter's ballot, against the board of canvassers of the returns from  
49 such district, if any, and otherwise against the board of inspectors of  
50 election of such district. If the court determines that the person who  
51 cast such ballot was entitled to vote at such election, it shall order  
52 such ballot to be cast and canvassed, including if the court finds that  
53 ministerial error by the board of elections or any of its employees  
54 caused such ballot envelope not to be valid on its face.

55 5. In the event procedural irregularities or other facts arising  
56 during the election suggest a change or altering of the canvass sched-

1 rule, as provided for in section 9-209 of this chapter, may be warranted,  
2 a candidate may seek an order for temporary or preliminary injunctive  
3 relief or an impound order halting or altering the canvassing schedule  
4 of early mail, absentee, military, special or affidavit ballots. Upon  
5 any such application, the board or boards of elections have a right to  
6 be heard. To obtain such relief, the petitioner must meet the criteria  
7 in article sixty-three of the civil practice law and rules and show by  
8 clear and convincing evidence, that, because of procedural irregulari-  
9 ties or other facts arising during the election, the petitioner will be  
10 irreparably harmed absent such relief. For the purposes of this section,  
11 allegations that opinion polls show that an election is close is insuf-  
12 ficient to show irreparable harm to a petitioner by clear and convincing  
13 evidence.

14 § 34. Subdivision 4 of section 16-108 of the election law is amended  
15 to read as follows:

16 4. Such court, justice or judge, in a proceeding instituted by any  
17 voter unlawfully denied an early mail or absentee ballot or the applica-  
18 tion therefor, shall compel, by order, the delivery to such voter of a  
19 ballot or application.

20 § 35. Subdivision 8 of section 17-132 of the election law is amended  
21 and a new closing paragraph is added to read as follows:

22 8. Fraudulently signs the name of another upon an early mail or absen-  
23 tee voter's envelope or aids in doing or attempting to do a fraudulent  
24 act in connection with an early mail or absentee vote cast or attempted  
25 to be cast; or,

26 Provided further that, a person whose absentee ballot application is  
27 processed as an early mail ballot application pursuant to section 8-402  
28 or section 15-120 of this chapter, is not subject to penalty under  
29 subdivision seven of this section for attempting to vote as an absentee  
30 voter.

31 § 36. Paragraph (b) of subdivision 1 of section 17-212 of the election  
32 law, as added by chapter 226 of the laws of 2022, is amended to read as  
33 follows:

34 (b) A violation of paragraph (a) of this subdivision shall be estab-  
35 lished if:

36 (i) a person uses or threatens to use any force, violence, restraint,  
37 abduction or duress, or inflicts or threatens to inflict any injury,  
38 damage, harm or loss, or in any other manner practices intimidation that  
39 causes or will reasonably have the effect of causing any person to vote  
40 or refrain from voting in general or for or against any particular  
41 person or for or against any proposition submitted to voters at such  
42 election; to place or refrain from placing their name upon a registry of  
43 voters; or to request or refrain from requesting an early mail or absen-  
44 tee ballot; or

45 (ii) a person knowingly uses any deceptive or fraudulent device,  
46 contrivance or communication, that impedes, prevents or otherwise inter-  
47 feres with the free exercise of the elective franchise by any person, or  
48 that causes or will reasonably have the effect of causing any person to  
49 vote or refrain from voting in general or for or against any particular  
50 person or for or against any proposition submitted to voters at such  
51 election; to place or refrain from placing their name upon a registry of  
52 voters; or to request or refrain from requesting an early mail or absen-  
53 tee ballot; or

54 (iii) a person obstructs, impedes, or otherwise interferes with access  
55 to any polling place or elections office, or obstructs, impedes, or  
56 otherwise interferes with any voter in any manner that causes or will

1 reasonably have the effect of causing any delay in voting or the voting  
2 process, including the canvassing and tabulation of ballots.

3 § 37. Subdivision 1 of section 1512 of the education law, as amended  
4 by chapter 461 of the laws of 1996, is amended to read as follows:

5 1. Such meeting shall be organized as provided in section fifteen  
6 hundred twenty-three. Such meeting may adopt a resolution to consolidate  
7 such districts if two-thirds of the qualified electors of each district  
8 having less than fifteen of such electors are present, or in case of  
9 districts having fifteen or more qualified electors if ten or more are  
10 present. The vote upon such resolution shall be by ballot or by taking  
11 and recording the ayes and noes. If the vote shall be by taking and  
12 recording the ayes and noes, the clerk and such assistants as may be  
13 provided for him by the meeting shall keep a poll-list upon which shall  
14 be recorded the names of all qualified electors voting upon the resolu-  
15 tion, the districts in which such electors reside, and how each elector  
16 voted. If the vote shall be by ballot, one or more inspectors of  
17 election shall be appointed in such manner as the meeting shall deter-  
18 mine, who shall receive the votes cast, canvass the same and announce  
19 the result of the ballot to the chairman. If the vote shall be by  
20 ballot then voting machines may be used in the manner prescribed by  
21 section two thousand thirty-five of this [~~chapter~~] title and provision  
22 shall be made for absentee ballots as provided in section two thousand  
23 eighteen-a or two thousand eighteen-b of this [~~chapter~~] title, whichever  
24 shall apply, and early mail ballots as provided in section two thousand  
25 eighteen-e or two thousand eighteen-f of this title, whichever shall  
26 apply. If it shall appear that a majority of the qualified electors  
27 present and voting from each district are in favor of such resolution,  
28 it shall be declared adopted and where at least one of the districts  
29 consolidated is a union free school district it shall be lawful for such  
30 meeting thereafter to proceed to the election of a board of education as  
31 provided in sections seventeen hundred two and seventeen hundred four of  
32 this [~~chapter~~] title. If a majority of the qualified electors present  
33 and voting from each district are not in favor of such resolution, all  
34 further proceedings at such meeting, except a motion to reconsider or  
35 adjourn, shall be dispensed with and no such meeting shall be again  
36 called within one year thereafter.

37 § 38. Subdivision 5 of section 1522 of the education law, as amended  
38 by chapter 461 of the laws of 1996, is amended to read as follows:

39 5. Whenever fifteen persons, entitled as aforesaid, from each of two  
40 or more adjoining districts, shall unite in a request for a meeting of  
41 the inhabitants of such districts, to determine whether such districts  
42 shall be consolidated by the establishment of a union free school  
43 district therein, it shall be the duty of the trustees of such  
44 districts, or a majority of them, to submit such proposed consolidation  
45 to the commissioner of education for approval. If the commissioner  
46 approve such proposed consolidation, it shall be the duty of such trus-  
47 tees, or a majority of them, to give public notice of such meeting, at  
48 some convenient place within such districts, and as central as may be,  
49 within the time and to be published and served in the manner set forth  
50 in this section, in each of such districts and to provide for the use of  
51 absentee ballots as provided under section two thousand eighteen-a or  
52 two thousand eighteen-b of this [~~chapter~~] title, whichever shall apply,  
53 and early mail ballots as provided in section two thousand eighteen-e or  
54 two thousand eighteen-f of this title, whichever shall apply.

55 § 39. Subdivision 1 of section 1524 of the education law, as amended  
56 by chapter 461 of the laws of 1996, is amended to read as follows:

1 1. Notwithstanding the provisions of this chapter or any other gener-  
2 al, special, or local law to the contrary, whenever the qualified voters  
3 of a school district which is contiguous to the city school district of  
4 a city with less than one hundred twenty-five thousand inhabitants,  
5 according to the latest federal census, by a majority vote taken at an  
6 annual or special meeting of such district shall adopt a proposition to  
7 consolidate such school district with such city school district, and the  
8 board of education of such city school district shall by resolution duly  
9 adopted consent thereto, the commissioner of education may by order  
10 consolidate such school district with such city school district;  
11 provided, however, that where several school districts are contiguous to  
12 each other and at least one of such school districts is contiguous to  
13 such city school district, such vote may be taken in each of such school  
14 districts at the same time, and if the proposition to consolidate is  
15 adopted by a majority vote in each such district, including any votes  
16 cast by absentee ballot as provided under section two thousand eigh-  
17 teen-a or two thousand eighteen-b of this [~~chapter~~] title, whichever  
18 shall apply, and any votes cast by early mail ballots as provided in  
19 section two thousand eighteen-e or two thousand eighteen-f of this  
20 title, whichever shall apply, and upon the consent of the city school  
21 district board of education, the commissioner of education may include  
22 each such district in one order of consolidation; provided, further,  
23 however, that if the proposition to consolidate is not adopted by a  
24 majority vote in each such district, but is so adopted in one or more of  
25 such districts, upon the consent of the city school district board of  
26 education, the commissioner may include in one order of consolidation  
27 only such district or districts as, either singly or as a group, are  
28 contiguous to such city school district. Such order shall specify a date  
29 on which the same shall take effect, and shall have the same effect as  
30 an order made by a district superintendent dissolving two or more common  
31 school districts and forming a new district therefrom, or dissolving one  
32 or more common school districts and uniting the territory thereof to a  
33 union free school district under the provisions of article thirty-one of  
34 this [~~chapter~~] title. A copy of such order shall be filed with the  
35 clerk of each school district affected thereby.

36 § 40. Subdivision 5 of section 1803 of the education law, as amended  
37 by chapter 461 of the laws of 1996, is amended to read as follows:

38 5. Votes upon the adoption of a resolution shall be cast in the same  
39 manner as votes for the election of school district trustees. The  
40 commissioner of education may order such modifications in the manner of  
41 voting as are customary for school district elections in the community  
42 affected by such vote. Such modifications may include the use of voting  
43 machines and shall include the use of absentee ballots as provided under  
44 section two thousand eighteen-a or two thousand eighteen-b of this  
45 [~~chapter~~] title, whichever shall apply, and early mail ballots as  
46 provided in section two thousand eighteen-e or two thousand eighteen-f  
47 of this title, whichever shall apply.

48 § 41. Paragraph f of subdivision 2 of section 1803-a of the education  
49 law, as added by chapter 461 of the laws of 1996, is amended to read as  
50 follows:

51 f. Provision shall be made for the use of absentee ballots as provided  
52 under section two thousand eighteen-a or two thousand eighteen-b of this  
53 [~~chapter~~] title, whichever shall apply, and early mail ballots as  
54 provided under section two thousand eighteen-e or two thousand eigh-  
55 teen-f of this title, whichever shall apply.

1 § 42. Subdivision 2 of section 1951 of the education law is amended by  
2 adding a new paragraph t to read as follows:

3 t. The board of cooperative educational services shall provide early  
4 mail ballots to qualified voters. The commissioner shall adopt regu-  
5 lations for the purposes of implementing the provisions of this para-  
6 graph which shall include, but not be limited to, creating the procedure  
7 for which such early mail ballots shall be submitted; providing that  
8 such early mail ballots shall be, as nearly as practicable, in the same  
9 form as those voted at the district election; requiring that any early  
10 mail ballot applicant is or will be, on the day of the vote, a qualified  
11 voter of the board of cooperative educational services and that he or  
12 she will be on such date over eighteen years of age, a citizen of the  
13 United States and has or will have resided in said district for thirty  
14 days next preceding such date; and providing instructions as to the  
15 proper marking thereof.

16 § 43. Subdivision 7 of section 2004 of the education law, as added by  
17 chapter 219 of the laws of 1978, is amended to read as follows:

18 7. Such notice shall also state that applications for early mail and  
19 absentee ballots for election of board members may be applied for at the  
20 office of the clerk of the district. Such notice, in such case, shall  
21 further state that a list of all persons to whom early mail and absentee  
22 ballots shall have been issued, will be available in the said office of  
23 the clerk on each of the five days prior to the day of the election  
24 except Sundays, and that such list will also be posted at the polling  
25 place or places at the election of members of the board of education.

26 § 44. Paragraph b of subdivision 2 of section 2018-a of the education  
27 law, as added by chapter 616 of the laws of 2019, is amended and a new  
28 paragraph c-1 is added to read as follows:

29 b. Each person entitled to vote as an absentee voter pursuant to this  
30 section and desirous of obtaining an absentee ballot shall make written  
31 application therefor to the district clerk. Application forms for use  
32 pursuant to this section shall be in a form prescribed by the state  
33 board of elections. The standard application form shall indicate that  
34 if the applicant does not provide a reason that the applicant is enti-  
35 tled to an absentee ballot, the application will be processed as an  
36 application for an early mail ballot pursuant to paragraph c-1 of this  
37 subdivision, and the applicant will be sent an early mail ballot if  
38 otherwise eligible. The use of any application which is on a form  
39 prescribed by the state board of elections shall be acceptable.

40 c-1. Provided that, if the applicant does not provide a reason that  
41 the applicant is entitled to an absentee ballot as required by paragraph  
42 c of this subdivision, the application shall be processed as an applica-  
43 tion for an early mail ballot pursuant to section 2018-e of this part.

44 § 45. Subdivisions 3 and 6 of section 2018-a of the education law,  
45 subdivision 3 as added by chapter 219 of the laws of 1978 and subdivi-  
46 sion 6 as amended by chapter 29 of the laws of 2000, are amended to read  
47 as follows:

48 3. If, upon examining the application required under the provisions of  
49 subdivision two of this section, and upon such inquiry as it deems prop-  
50 er, the board of registration shall be satisfied that the applicant is a  
51 qualified voter of the district, and entitled to vote by absentee  
52 ballot, such board shall place his name upon the register, thereupon the  
53 applicant shall be issued or mailed an absentee voter's ballot and the  
54 board of registration shall make an appropriate entry on the register  
55 indicating that an absentee ballot has been applied for by, and issued  
56 to, the applicant. Provided that, an application for an absentee ballot

1 that does not provide a reason that the applicant is entitled to such a  
2 ballot as required in paragraph c of subdivision two of this section,  
3 the application shall be processed as an application for an early mail  
4 ballot pursuant to section 2018-e of this part.

5 6. The board of registration shall make a list of all persons to whom  
6 absentee voter's ballots shall have been issued and file such list in  
7 the office of the clerk where it shall be available for public  
8 inspection during regular office hours until the day of the election.  
9 Any qualified voter may, upon examination of such list, file a written  
10 challenge of the qualifications as a voter of any person whose name  
11 appears on such list, stating the reasons for such challenge. A chal-  
12 lenge to an absentee ballot may not be made on the basis that the voter  
13 should have applied for an early mail ballot. Such written challenge  
14 shall be transmitted by the clerk to the inspectors of election on  
15 election day.

16 § 46. Paragraph a of subdivision 2 and subdivisions 3 and 7 of section  
17 2018-b of the education law, paragraph a of subdivision 2 and subdivi-  
18 sion 3 as amended by chapter 46 of the laws of 1992 and subdivision 7 as  
19 amended by chapter 29 of the laws of 2000, are amended to read as  
20 follows:

21 a. An applicant for such an absentee ballot shall submit an applica-  
22 tion setting forth (1) his name and residence address, including the  
23 street and number, if any, or town and rural delivery route, if any; (2)  
24 that he is or will be, on the day of the school district election, a  
25 qualified voter of the school district in which he resides in that he is  
26 or will be, on such date, over eighteen years of age, a citizen of the  
27 United States and has or will have resided in the district for thirty  
28 days next preceding such date; (3) that he will be unable to appear to  
29 vote in person on the day of the school district election for which the  
30 absentee ballot is requested because he is, or will be on such day (a) a  
31 patient in a hospital, or unable to appear personally at the polling  
32 place on such day because of illness or physical disability or (b)  
33 because his duties, occupation, business, or studies will require him to  
34 be outside of the county or city of his residence on such day, (c)  
35 because he will be on vacation outside the county or city of his resi-  
36 dence on such day; or, (d) absent from his voting residence because he  
37 is detained in jail awaiting action by a grand jury or awaiting trial or  
38 is confined in prison after conviction for an offense other than a felo-  
39 ny. Such application must be received by the district clerk or designee  
40 of the trustees or school board at least seven days before the election  
41 if the ballot is to be mailed to the voter, or the day before the  
42 election, if the ballot is to be delivered personally to the voter.  
43 Provided that, if the applicant does not provide a reason that the  
44 applicant is entitled to an absentee ballot as required by this subdivi-  
45 sion, the application shall be processed as an application for an early  
46 mail ballot pursuant to section 2018-f of this part.

47 3. If, upon examining the application required under the provisions of  
48 subdivision two of this section, and upon such inquiry as it deems prop-  
49 er, the clerk of the school district or designee of the trustees or  
50 school board shall be satisfied that the applicant is a qualified voter  
51 of the district, and entitled to vote by absentee ballot, such clerk of  
52 the school district or designee of the trustees or school board shall  
53 cause to be issued or mailed to the applicant an absentee voter's ballot  
54 and the clerk of the school district or designee of the trustees or  
55 school board shall make an appropriate entry on the poll list pursuant  
56 to section two thousand twenty-nine of this ~~article~~ part. Provided

1 that, an application for an absentee ballot that does not provide a  
2 reason that the applicant is entitled to such a ballot shall be proc-  
3 essed as an application for an early mail ballot pursuant to paragraph a  
4 of subdivision two of this section and section 2018-f of this part.

5 7. The clerk of the school district or designee of the trustees or  
6 school board shall make a list of all persons to whom absentee voter's  
7 ballots shall have been issued and maintain such list where it shall be  
8 available for public inspection during regular office hours until the  
9 day of the election. Any qualified voter may, upon examination of such  
10 list, file a written challenge of the qualifications as a voter of any  
11 person whose name appears on such list, stating the reasons for such  
12 challenge. A challenge to an absentee ballot may not be made on the  
13 basis that the voter should have applied for an early mail ballot. Such  
14 written challenge shall be transmitted by the clerk or the designee of  
15 the trustees or school board to the inspectors of election on election  
16 day.

17 § 47. The education law is amended by adding a new section 2018-e to  
18 read as follows:

19 § 2018-e. Early mail ballots for school district elections. 1. The  
20 board of education of any union free, central or central high school  
21 district which elects school board members by ballot and provides for  
22 personal registration of voters, shall provide for early mail ballots  
23 for the election of members of the board of education and school  
24 district public library trustees, the adoption of the annual budget and  
25 school district public library budget and referenda, in accordance with  
26 the provisions of this section.

27 1-a. In counties with a population of one million or more, the board  
28 of education of any union free, central or central high school district  
29 which elects school board members by ballot and provides for personal  
30 registration of voters shall provide for early mail ballots for the  
31 election of members of the board of education and school district public  
32 library trustees, the adoption of the annual budget and school district  
33 public library budget and referenda, in accordance with the provisions  
34 of this section.

35 2. a. A qualified voter may vote as an early mail voter under this  
36 section.

37 b. Each person entitled to vote as an early mail voter pursuant to  
38 this section and desirous of obtaining an early mail ballot shall make  
39 written application therefor to the district clerk. Application forms  
40 for use pursuant to this section shall be in a form prescribed by the  
41 state board of elections. The use of any application which is on a form  
42 prescribed by the state board of elections shall be acceptable.

43 c. The application for an early mail ballot when filed must contain in  
44 each instance the following information:

45 (1) Applicant's full name, date of birth, and residence address,  
46 including the street and number, if any, rural delivery route, if any,  
47 mailing address if different from the residence address and an address  
48 to which the ballot shall be mailed.

49 (2) A statement that the applicant is a qualified and registered  
50 voter.

51 d. Such application shall include the following statement to be signed  
52 by the voter:

53 I hereby declare that the foregoing is a true statement to the best of  
54 my knowledge and belief, and I understand that if I make any material  
55 false statement in the foregoing statement of application for early mail  
56 ballot, I shall be guilty of a misdemeanor.

Date.....Signature of Voter .....

e. An application must be received by the district clerk no earlier than the thirtieth day before the election for which an early mail ballot is sought. If the application requests that the early mail ballot be mailed, such application must be received not later than seven days before the election. If the applicant or their agent delivers the application to the district clerk in person, such application must be received not later than the day before the election. The district clerk shall examine each application and shall determine from the information contained therein whether the applicant is qualified under this section to receive an early mail ballot.

f. No later than six days before the election for which an application has been received and for which the district clerk has determined the applicant to be qualified to vote by early mail ballot the district clerk shall mail, by regular mail, an early mail ballot to each qualified applicant who has applied before such day and who has requested that such early mail ballot be mailed to him or her at the address set forth in their application. If the applicant or their agent delivers the application to the district clerk in person after the seventh day before the election and not later than the day before the election, the district clerk shall forthwith deliver such early mail ballots for those applicants whom he or she determines are qualified to make such applications and to receive such ballots to such applicants or the agents named in the applications when such applicants or agents appear in the district clerk's office.

3. If, upon examining the application required under the provisions of subdivision two of this section, and upon such inquiry as it deems proper, the board of registration shall be satisfied that the applicant is a qualified voter of the district entitled to vote by early mail ballot, such board shall place their name upon the register, thereupon the applicant shall be issued or mailed an early mail voter's ballot and the board of registration shall make an appropriate entry on the register indicating that an early mail ballot has been applied for by, and issued to, the applicant.

4. Ballots for early mail voters shall be, as nearly as practicable, in the same form as those to be voted at the district election; if the vote at such election shall be by ballot, the early mail ballot shall conform to the regular ballot; if the vote of such election shall be by voting machine, the early mail ballot shall conform as closely as possible to the manner in which the names of the candidates, the questions and the propositions appear on the voting machines, except that the early mail ballot shall also contain a space for a write-in or write-ins. Such early mail ballots shall also contain instructions as to the proper marking thereof, in accordance with the provisions of sections two thousand thirty-two and two thousand thirty-four of this part. On the back of such early mail ballots shall be printed the words "Official Ballot, Early Mail Voter".

5. a. The board of registration shall enclose each early mail voter's ballot in an envelope which shall be labelled:

ELECTION MATERIAL  
PLEASE EXPEDITE

On one side of such envelope shall be printed:

OFFICIAL BALLOT, EARLY MAIL VOTER

for

School District Election

- 1 Name of Voter .....
- 2 Residence (street and number, if any) .....
- 3 City (or Town) of .....
- 4 County of .....
- 5 School District .....
- 6 School Election District (if applicable) .....

7 The date of the election and name of the school district shall be  
 8 printed, and the name of the voter, residence, school district and  
 9 school election district (if applicable) shall be written in by the  
 10 board of registration.

11 b. On the reverse side of such envelope shall be printed the following  
 12 statement:

13 STATEMENT OF EARLY MAIL VOTER

14 I do declare that I am a citizen of the United States, and will be at  
 15 least eighteen years of age, on the date of the school district  
 16 election; that I will have been a resident of this state and of the  
 17 school district and school election district, if any, shown on the  
 18 reverse side of this envelope for thirty days next preceding the said  
 19 election and duly registered in the school district and school election  
 20 district, if any, shown on the reverse side of this envelope and that I  
 21 am or on such date will be, a qualified voter of said school district;  
 22 that I have not qualified, or do I intend to vote, elsewhere than as set  
 23 forth on the reverse side of this envelope; that I have not received or  
 24 offered, do not expect to receive, have not paid, offered or promised to  
 25 pay, contributed, offered or promised to contribute to another to be  
 26 paid or used, any money or other valuable thing, as a compensation or  
 27 reward for the giving or withholding of a vote at this school district  
 28 election, and have not made any promise to influence the giving or with-  
 29 holding of any such votes; that I have not made or become directly or  
 30 indirectly interested in any bet or wager depending upon the result of  
 31 this school district election; and that I have not been convicted of  
 32 bribery or any infamous crime, or, if so convicted, that I have been  
 33 pardoned or restored to all the rights of a citizen, without restriction  
 34 as to the right of suffrage, or received a certificate of relief from  
 35 disabilities or a certificate of good conduct pursuant to article twenty-  
 36 three of the correction law removing my disability to register and  
 37 vote.

38 I hereby declare that the foregoing is a true statement to the best of  
 39 my knowledge and belief, and I understand that if I make any material  
 40 false statement in the foregoing statement of early mail voter, I shall  
 41 be guilty of a misdemeanor.

42 Date ..... Signature of Voter .....

43 c. The envelope shall be gummed, ready for sealing, and shall have  
 44 printed thereon, on the side opposite the statement, instructions as to  
 45 the duties of the voter after the marking of the ballot, which  
 46 instructions shall include a specific direction stating that the envel-  
 47 ope must reach the office of the clerk of the school district not later  
 48 than five P.M. on the day of the election in order that their vote may  
 49 be canvassed.

50 d. A person who shall make any material false statement in the state-  
 51 ment of early mail voter appearing on the reverse side of the envelope  
 52 as provided in this subdivision, shall be guilty of a misdemeanor.

53 6. The board of registration shall make a list of all persons to whom  
 54 early mail voter's ballots shall have been issued and file such list in  
 55 the office of the clerk where it shall be available for public  
 56 inspection during regular office hours until the day of the election.

1 Any qualified voter may, upon examination of such list, file a written  
2 challenge of the qualifications as a voter of any person whose name  
3 appears on such list, stating the reasons for such challenge. A chal-  
4 lenge to an early mail voter may not be made on the basis that the voter  
5 should have applied for an absentee ballot. Such written challenge shall  
6 be transmitted by the clerk to the inspectors of election on election  
7 day.

8 7. a. The board of registration shall be authorized to call upon the  
9 commissioner of police and the officers and members of the police force  
10 for such assistance in the enforcement of the provisions of this section  
11 as such board shall require, and such commissioner and officers and  
12 members of the police force shall be authorized to render such assist-  
13 ance.

14 b. The board of registration may require any person to attend before  
15 it at the office of the clerk of the school district and be examined by  
16 the board as to any matter in relation to which such board is charged  
17 with a duty under this section, and may issue a subpoena therefor. Each  
18 member of such board shall be authorized to administer any oath that may  
19 be required or authorized by law in this connection.

20 8. No early mail voter's ballot shall be canvassed, unless it shall  
21 have been received in the office of the clerk of the school district not  
22 later than five P.M. on the day of the election.

23 9. The clerk of the district shall, on the day of the election, trans-  
24 mit all early mail voters' envelopes, received by them in accordance  
25 with subdivision eight of this section, to the inspectors of election.

26 10. If, at the school district election, any early mail voters' envel-  
27 opes shall have been received at the polling place, the inspectors of  
28 election immediately after the closing of the polls shall examine them,  
29 and shall compare the signature, if any, on each envelope with the  
30 signature, if any, on the register, of the person of the same name who  
31 registered from the same address. If the signatures are found to corre-  
32 spond, the inspectors shall certify thereto by signing their initials  
33 opposite the name of the voter at the appropriate place in the register.  
34 If a person whose name is on an envelope as a voter, shall have already  
35 voted in person at such school district election, or if their name,  
36 residence and signature, as stated on the envelope, are not on the  
37 register, or if there is no signature on the envelope, this envelope  
38 shall be laid aside unopened and be returned unopened to the clerk of  
39 the district. If such person is found to be registered and has not so  
40 voted in person, and if no objection is made, or if an objection made be  
41 not sustained, the envelope shall be opened and the ballot withdrawn  
42 without unfolding and deposited in the proper box or boxes. At the time  
43 of the deposit of such ballot, the inspectors shall enter the words  
44 "early mail vote" at an appropriate place in the register.

45 11. During such examination any qualified voter present in the polling  
46 place may object to the voting of the ballot contained in any envelope  
47 upon the ground or grounds that the person named thereon is not a quali-  
48 fied voter of the school district, or school election district (where  
49 applicable). An inspector shall make such an objection if he shall know  
50 or suspect that the person named on such envelope is not such a quali-  
51 fied voter. The inspectors of election shall forthwith proceed to deter-  
52 mine each objection including any written challenge transmitted to them  
53 by the district clerk as provided in subdivision six of this section.  
54 Unless the inspectors, by majority vote, shall sustain the objection,  
55 the chairman, or if he refuses, another inspector shall endorse upon the  
56 envelope the objection and the words "not sustained," shall sign such

1 endorsement, and shall open the envelope and deposit the ballot as  
2 provided in this section. Should the inspectors, by majority vote,  
3 sustain such objection, the objection and word "sustained" shall be  
4 similarly endorsed upon the envelope, the envelope shall not be opened  
5 nor the ballots therein canvassed, and such envelope shall be returned  
6 unopened to the clerk of the district. If the inspectors of election  
7 shall have received an envelope endorsed with the name of a person who  
8 to the knowledge of the inspectors is deceased on the day of the  
9 election, the inspectors shall return such envelope unopened to the  
10 clerk of the district with the words "deceased--objection sustained"  
11 endorsed on the envelope.

12 12. If the inspectors of election shall have received an envelope, and  
13 upon opening the same no ballot shall be found therein, the inspectors  
14 shall make a memorandum showing that the ballot is missing. When the  
15 casting of early mail voters' ballots shall have been completed, the  
16 inspectors shall ascertain the number of such ballots which have been  
17 deposited in the ballot box by deducting from the number of envelopes  
18 opened the number of missing ballots, and shall make a separate return  
19 thereof in duplicate. The number of early mail voters' ballots deposited  
20 in the ballot box shall be added to the number of other ballots deposit-  
21 ed in the ballot box in order to determine the number of all ballots to  
22 be accounted for in the ballot box. Such ballots shall then be counted  
23 or canvassed by the inspectors of election along with the other ballots  
24 cast at such school district election, or, where voting machines are  
25 used, shall be added to the votes recorded on such machines.

26 13. Where the district shall have been divided into school election  
27 districts pursuant to the provisions of this chapter, the provisions of  
28 this section shall be applicable, provided that any reference in this  
29 section to the term "board of registration" shall in such case refer to  
30 the board of registration appointed by the board of education for each  
31 school election district, except that paragraph b of subdivision seven  
32 of this section shall apply according to its terms.

33 § 48. The education law is amended by adding a new section 2018-f to  
34 read as follows:

35 § 2018-f. Early mail ballots for school district elections by poll  
36 registration. 1. Notwithstanding the provisions of sections two thousand  
37 fourteen and two thousand eighteen-e of this part, the trustees or the  
38 board of education of any common, union free, central or central high  
39 school district which does not provide for the personal registration of  
40 voters for school district meetings and elections but which elects trus-  
41 tees or school board members by ballot, shall provide for early mail  
42 ballots for the election of the trustees or members of the board and  
43 school district public library trustees, the adoption of the annual  
44 budget and school district public library budget and referenda.

45 1-a. Notwithstanding the provisions of sections two thousand fourteen  
46 and two thousand eighteen-e of this part, in any county with a popu-  
47 lation of one million or more, the trustees or the board of education of  
48 any common, union free, central or central high school district which  
49 does not provide for the personal registration of voters for school  
50 district meetings and elections but which elects trustees or school  
51 board members by ballot shall provide for early mail ballots for the  
52 election of the trustees or members of the board and school district  
53 public library trustees, the adoption of the annual budget and school  
54 district public library budget and referenda.

55 2. a. An applicant for such an early mail ballot shall submit an  
56 application setting forth (1) their name and residence address, includ-

1 ing the street and number, if any, or town and rural delivery route, if  
 2 any; (2) that they are or will be, on the day of the school district  
 3 election, a qualified voter of the school district in which he resides  
 4 in that he is or will be, on such date, over eighteen years of age, a  
 5 citizen of the United States and has or will have resided in the  
 6 district for thirty days next preceding such date. Such application must  
 7 be received by the district clerk or designee of the trustees or school  
 8 board at least seven days before the election if the ballot is to be  
 9 mailed to the voter, or the day before the election, if the ballot is to  
 10 be delivered personally to the voter.

11 b. Such application shall include the following statement to be signed  
 12 by the voter.

13 I hereby declare that the foregoing is a true statement to the best of  
 14 my knowledge and belief, and I understand that if I make any material  
 15 false statement in the foregoing statement of application for early mail  
 16 ballot, I shall be guilty of a misdemeanor.

17 Date ..... Signature of Voter .....

18 3. If, upon examining the application required under the provisions of  
 19 subdivision two of this section, and upon such inquiry as it deems prop-  
 20 er, the clerk of the school district or designee of the trustees or  
 21 school board shall be satisfied that the applicant is a qualified voter  
 22 of the district, and entitled to vote by early mail ballot, such clerk  
 23 of the school district or designee of the trustees or school board shall  
 24 cause to be issued or mailed to the applicant an early mail voter's  
 25 ballot and the clerk of the school district or designee of the trustees  
 26 or school board shall make an appropriate entry on the poll list pursu-  
 27 ant to section two thousand twenty-nine of this part.

28 4. The clerk of the school district or a designee of the trustees or  
 29 school board shall also mail an early mail ballot to every qualified  
 30 voter otherwise eligible for such ballot, who requests an early mail  
 31 ballot from such clerk or trustees or school board designee in a letter  
 32 which is signed by the voter and received by the clerk or trustees or  
 33 school board designee not earlier than the thirtieth day nor later than  
 34 the seventh day before the election for which the ballot is first  
 35 requested and which states the address where the voter resides and to  
 36 which the ballot is to be mailed. The clerk or designee of the trustees  
 37 or school board shall enclose with such ballot a form of application for  
 38 early mail ballot. The early mail ballot of a voter who requested such  
 39 ballot by letter, rather than application, shall not be counted unless a  
 40 valid application form, signed by such voter, is received by the clerk  
 41 of the school district or designee of the trustees or school board with  
 42 such ballot.

43 5. Ballots for early mail voters shall be, as nearly as practicable,  
 44 in the same form as those to be voted at the district election; if the  
 45 vote at such election shall be by ballot, the early mail ballot shall  
 46 conform to the regular ballot; if the vote of such election shall be by  
 47 voting machine, the early mail ballot shall conform as closely as possi-  
 48 ble to the manner in which the names of the candidates, the questions  
 49 and the propositions appear on the voting machines, except that the  
 50 early mail ballot shall also contain a space for a write-in or write-  
 51 ins. On the back of such early mail ballots shall be printed words  
 52 "Official Ballot, Early Mail Voter".

53 6. a. The clerk of the school district or designee of the trustees or  
 54 school board shall enclose each early mail voter's ballot in an envelope  
 55 which shall be labelled;

ELECTION MATERIAL

PLEASE EXPEDITE

On one side of such envelope shall be printed:

OFFICIAL BALLOT, EARLY MAIL VOTER

for

School District Election

Name of Voter .....

Residence (street and number, if any) .....

City (or Town) of .....

County of .....

School District .....

School Election District (if applicable) .....

The date of the election and name of the school district shall be printed, and the name of the voter, residence, school district and school election district (if applicable) shall be included.

b. On the reverse side of such envelope shall be printed the following statement:

STATEMENT OF EARLY MAIL VOTER

I do declare that I am a citizen of the United States, and will be at least eighteen years of age on the date of the school district election; that I will have been a resident of this state and of the school district and school election district, if any, shown on the reverse side of this envelope for thirty days next preceding the said election and that I am or on such date will be, a qualified voter of said school district; that I have not qualified, or do I intend to vote, elsewhere than as set forth on the reverse side of this envelope; that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered or promised to contribute to another to be paid or used, any money or other valuable thing, as a compensation or reward for the giving or withholding of a vote at this school district election, and have not made any promise to influence the giving or withholding of any such votes; that I have not made or become directly or indirectly interested in any bet or wager depending upon the result of this school district election; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the right of suffrage, or have received a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law removing my disability to vote.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of early mail voter, I shall be guilty of a misdemeanor.

Date ..... Signature of Voter .....

c. The envelope shall be gummed, ready for sealing, and shall have printed thereon, on the side opposite the statement, instructions as to the duties of the voter after the marking of the ballot, which instructions shall include a specific direction stating that the envelope must reach the office of the clerk of the school district or designee of the trustees or school board not later than five P.M. on the day of the election in order that their vote may be canvassed.

1 d. A person who shall make any material false statement in the state-  
2 ment of the early mail voter appearing on the reverse side of the envel-  
3 ope as provided in this subdivision, shall be guilty of a misdemeanor.

4 7. The clerk of the school district or designee of the trustees or  
5 school board shall make a list of all persons to whom early mail voter's  
6 ballots shall have been issued and maintain such list where it shall be  
7 available for public inspection during regular office hours until the  
8 day of the election. Any qualified voter may, upon examination of such  
9 list, file a written challenge of the qualifications as a voter of any  
10 person whose name appears on such list, stating the reasons for such  
11 challenge. A challenge to an early mail ballot may not be made on the  
12 basis that the voter should have applied for an absentee ballot. Such  
13 written challenge shall be transmitted by the clerk or the designee of  
14 the trustees or school board to the inspectors of election on election  
15 day.

16 8. a. The clerk of the school district or designee of the trustees or  
17 school board shall be authorized to call upon the commissioner of police  
18 and the officers and members of the police force for such assistance in  
19 the enforcement of the provisions of this section as such trustees or  
20 board shall require, and such commissioner and officers and members of  
21 the police force shall be authorized to render such assistance.

22 b. The clerk of the school district or designee of the trustees or  
23 school board may require any person to attend before it at the office of  
24 the clerk of the school district or the office of the designee of the  
25 trustees or school board and be examined by the trustees or board as to  
26 any matter in relation to which such trustees or board is charged with a  
27 duty under this section, and may issue a subpoena therefor. Each member  
28 of such trustees or board shall be authorized to administer any oath  
29 that may be required or authorized by law in this connection.

30 9. No early mail voter's ballot shall be canvassed, unless it shall  
31 have been received in the office of the clerk of the school district or  
32 designee of the trustees or school board not later than five P.M. on the  
33 day of the election.

34 10. The clerk of the district or designee of the trustees or school  
35 board shall, on the day of the election, transmit all early mail voters'  
36 envelopes, received by him in accordance with subdivision eight of this  
37 section, to the inspectors of election.

38 11. If a person whose name is on an envelope as a voter shall have  
39 already voted in person at such school district election, or if there is  
40 no signature on the envelope, this envelope shall be laid aside unopened  
41 and be returned unopened to the clerk of the district or designee of the  
42 trustees or school board. If such person has not so voted in person, and  
43 if no objection is made, or if an objection made be not sustained, the  
44 envelope shall be opened and the ballot withdrawn without unfolding and  
45 deposited in the proper box or boxes.

46 12. If the inspectors of election shall have received an envelope, and  
47 upon opening the same no ballot shall be found therein, the inspectors  
48 shall make a memorandum showing that the ballot is missing. When the  
49 casting of early mail voters' ballots shall have been completed, the  
50 inspectors shall ascertain the number of such ballots which have been  
51 deposited in the ballot box by deducting from the number of envelopes  
52 opened the number of missing ballots, and shall make a separate return  
53 thereof in duplicate. The number of early mail voters' ballots deposited  
54 in the ballot box shall be added to the number of other ballots to be  
55 accounted for in the ballot box. Such ballots shall then be counted or  
56 canvassed by the inspectors of election along with the other ballots

1 cast at such school district election, or, where voting machines are  
2 used, shall be added to the votes recorded on such machines.

3 § 49. Section 2613 of the education law, as amended by chapter 489 of  
4 the laws of 2019, is amended to read as follows:

5 § 2613. Absentee, early mail, and military ballots. The board of  
6 education of each city school district to which this article applies  
7 shall provide for absentee ballots in accordance with the provisions of  
8 section two thousand eighteen-a of this title, early mail ballots in  
9 accordance with the provisions of section two thousand eighteen-e of  
10 this title, and military ballots in accordance with section two thousand  
11 eighteen-d of this title.

12 § 50. Subdivision 5 of section 84 of the town law, as amended by chap-  
13 ter 281 of the laws of 1998, is amended to read as follows:

14 5. In order to assist boards of registration in the preparation of  
15 their registers, the town clerk, prior to the first meeting of such  
16 boards of registration, shall obtain from the board of elections of the  
17 county in which such town is located, the list of names and addresses of  
18 all voters registered with such board of elections on or before the  
19 twenty-third day before such special election. The town clerk shall  
20 deliver the names and addresses of qualified voters to the appropriate  
21 board or boards of registration on or before the first meeting of such  
22 board or boards. At the first and subsequent meetings of the board of  
23 registration for each voting place designated by the town board for such  
24 special town election, such board of registration shall place on the  
25 register described in subdivision four hereof the names of all qualified  
26 voters and all other qualified voters who personally appear, those  
27 voters who have made application for early mail ballots, and those mili-  
28 tary voters and such other voters who are absent by reason of confining  
29 illness or physical disability or whose duties, occupation or business  
30 required them to be outside of the state of New York, having the quali-  
31 fications of voters prescribed in this section and who have made appli-  
32 cation for absentee ballots as certified to them by the town clerk.

33 § 51. Subdivision 2 of section 84-a of the town law is amended by  
34 adding a new paragraph a-1 to read as follows:

35 a-1. Provided that, if the applicant does not provide a reason that  
36 the applicant is entitled to an absentee ballot as required by paragraph  
37 a of this subdivision, the application shall be processed as an applica-  
38 tion for an early mail ballot pursuant to section eight-four-b of this  
39 article.

40 § 52. Subdivision 3 and paragraph a of subdivision 6 of section 84-a  
41 of the town law, as added by chapter 396 of the laws of 1988, are  
42 amended to read as follows:

43 3. If, upon examining the application required under the provisions  
44 of subdivision two of this section, and upon such inquiry as it deems  
45 proper, the board of inspectors shall be satisfied that the applicant is  
46 a qualified voter of the town, and entitled to vote by absentee ballot,  
47 such board of inspectors shall place his name upon a list, thereupon the  
48 applicant shall be issued or mailed an absentee voter's ballot and the  
49 town clerk shall make an appropriate entry on the list indicating that  
50 an absentee ballot has been applied for by, and issued to, the appli-  
51 cant. Provided that, an application for an absentee ballot that does not  
52 provide a reason that the applicant is entitled to such a ballot shall  
53 be processed as an application for an early mail ballot pursuant to  
54 paragraph a-1 of subdivision two of this section and section eighty-  
55 four-b of this article.

1 a. The town clerk shall make a list of all persons to whom absentee  
 2 voter's ballots shall have been issued and keep such list on file in his  
 3 office where it shall be available for public inspection during regular  
 4 office hours until the day of the election. Any qualified voter may,  
 5 upon examination of such list, file a written challenge of the quali-  
 6 fications as a voter of any person whose name appears on such list,  
 7 stating the reasons for such challenge. A challenge to an absentee  
 8 ballot may not be made on the basis that the voter should have applied  
 9 for an early mail ballot. Such written challenge shall be transmitted by  
 10 the town clerk to the inspectors of election on election day.

11 § 53. The town law is amended by adding a new section 84-b to read as  
 12 follows:

13 § 84-b. Early mail ballots for special town elections; special  
 14 provisions. 1. Early mail ballots shall be provided for all special town  
 15 elections for which personal registration is required.

16 2. a. An applicant for such an early mail ballot shall submit an  
 17 application setting forth (1) their name and residence address, includ-  
 18 ing the street and number, if any, or town and rural delivery route, if  
 19 any; (2) that they are or will be, on the day of the election, a quali-  
 20 fied voter of the town in which they reside; and (3) that they are  
 21 registered in the town. Such application must be received by the town  
 22 clerk at least seven days before the election if the ballot is to be  
 23 mailed to the voter, or the day before the election, if the ballot is to  
 24 be delivered personally to the voter or their agent.

25 b. Such application shall include the following statement to be signed  
 26 by the voter:

27 I hereby declare that the foregoing is a true statement to the best of  
 28 my knowledge and belief, and I understand that if I make any material  
 29 false statement in the foregoing statement of application for early mail  
 30 ballots, I shall be guilty of a misdemeanor.

31 Date ..... Signature of Voter .....

32 3. If, upon examining the application required under the provisions of  
 33 subdivision two of this section, and upon such inquiry as it deems prop-  
 34 er, the board of inspectors shall be satisfied that the applicant is a  
 35 qualified voter of the town, and entitled to vote by early mail ballot,  
 36 such board of inspectors shall place their name upon a list, thereupon  
 37 the applicant shall be issued or mailed an early mail ballot and the  
 38 town clerk shall make an appropriate entry on the list indicating that  
 39 an early mail ballot has been applied for by, and issued to, the appli-  
 40 cant.

41 4. Ballots for early mail voters shall be, as nearly as practicable,  
 42 in the same form as those to be voted at the town election. On the back  
 43 of such early mail ballots shall be printed the words "Official Ballot,  
 44 Early Mail Voter".

45 5. a. The board of registration shall enclose each early mail voter's  
 46 ballot in an envelope which shall be labelled:

47 ELECTION MATERIAL

48 PLEASE EXPEDITE

49 On one side of such envelope shall be printed:

50 OFFICIAL BALLOT, EARLY MAIL VOTER

51 for

52 Special Town Election

53 Name of Voter .....

54 Residence (street and number, if any) .....

55 Town of .....

1 County of .....

2 The date of the election and name of the town shall be printed, and  
3 the name of the voter, residence and district shall be written in by the  
4 town clerk.

5 b. On the reverse side of such envelope shall be printed the following  
6 statement:

7 STATEMENT OF EARLY MAIL VOTER

8 I do declare that I will have been a citizen of the United States for  
9 thirty days, and will be at least eighteen years of age, on the date of  
10 the special town election; that I will have been a resident of this  
11 state and of the town shown on the reverse side of this envelope for  
12 thirty days next preceding the said election; that I am or on such date  
13 will be, a registered voter of said town; that I have not qualified, or  
14 do I intend to vote, elsewhere than as set forth on the reverse side of  
15 this envelope; that I have not received or offered, do not expect to  
16 receive, have not paid, offered or promised to pay, contributed, offered  
17 or promised to contribute to another to be paid or used, any money or  
18 other valuable thing, as a compensation or reward for the giving or  
19 withholding of a vote at this special town election, and have not made  
20 any promise to influence the giving or withholding of any such votes;  
21 that I have not made or become directly or indirectly interested in any  
22 bet or wager depending upon the result of this special town election;  
23 and that I have not been convicted of bribery or any infamous crime, or,  
24 if so convicted, that I have been pardoned or restored to all the rights  
25 of a citizen, without restriction as to the right of suffrage, or  
26 received a certificate of relief from disabilities or a certificate of  
27 good conduct pursuant to article twenty-three of the correction law  
28 removing my disability to register and vote.

29 I hereby declare that the foregoing is a true statement to the best of  
30 my knowledge and belief, and I understand that if I make any material  
31 false statement in the foregoing statement of early mail voter, I shall  
32 be guilty of a misdemeanor.

33 Date.... Signature of Voter....

34 c. The envelope shall be gummed, ready for sealing, and shall have  
35 printed thereon, on the side opposite the statement, instructions as to  
36 the duties of the voter after the marking of the ballot, which  
37 instructions shall include a specific direction stating that the envel-  
38 ope must reach the office of the town clerk not later than five P.M. on  
39 the day of the election in order that their vote may be canvassed.

40 d. A person who shall make any material false statement in the state-  
41 ment of early mail voter appearing on the reverse side of the envelope  
42 as provided in this subdivision, shall be guilty of a misdemeanor.

43 6. a. The town clerk shall make a list of all persons to whom early  
44 mail voter's ballots shall have been issued and keep such list on file  
45 in their office where it shall be available for public inspection during  
46 regular office hours until the day of the election. Any qualified voter  
47 may, upon examination of such list, file a written challenge of the  
48 qualifications as a voter of any person whose name appears on such list,  
49 stating the reasons for such challenge. A challenge to an early mail  
50 ballot may not be made on the basis that the voter should have applied  
51 for an absentee ballot. Such written challenge shall be transmitted by  
52 the town clerk to the inspectors of election on election day.

53 b. Such list shall also be posted in a conspicuous place or places  
54 during the election, and any qualified voter may challenge the accept-  
55 ance of the early mail voter's ballot of any person on such list, by

1 making their challenge and the reasons therefor known to the inspectors  
2 of election before the close of the polls.

3 7. a. The town clerk shall be authorized to call upon the commissioner  
4 of police and the officers and members of the police force for such  
5 assistance in the enforcement of the provisions of this section as he  
6 shall require, and such commissioner and officers and members of the  
7 police force shall be authorized to render such assistance.

8 b. The board of inspectors may require any person to attend before it  
9 at the office of the town clerk of the district and be examined as to  
10 any matter in relation to which such board is charged with a duty under  
11 this section, and may issue a subpoena therefor. Each member of such  
12 board of inspectors district shall be authorized to administer any oath  
13 that may be required or authorized by law in this connection.

14 8. No early mail voter's ballot shall be canvassed, unless it shall  
15 have been received in the office of the town clerk not later than five  
16 P.M. on the day of the election.

17 9. The town clerk shall, on the day of the election, transmit all  
18 early mail voters' envelopes, received by him in accordance with subdi-  
19 vision eight of this section, to the inspectors of election.

20 10. If, at the election, any early mail voters' envelopes shall have  
21 been received at the polling place, the inspectors of election imme-  
22 diately after the closing of the polls shall examine them, and shall  
23 compare the signature, if any, on each envelope with the signature, if  
24 any, on the register, of the person of the same name who registered from  
25 the same address. If the signatures are found to correspond, the inspec-  
26 tors shall certify thereto by signing their initials opposite the name  
27 of the voter at the appropriate place in the register. If a person whose  
28 name is on an envelope as a voter, shall have already voted in person at  
29 such special town election, or if their name, residence and signature,  
30 as stated on the envelope, are not on the register, or if there is no  
31 signature on the envelope, this envelope shall be laid aside unopened  
32 and be returned unopened to the town clerk. If such person is found to  
33 be registered and has not so voted in person, and if no objection is  
34 made, or if an objection made be not sustained, the envelope shall be  
35 opened and the ballot withdrawn without unfolding and deposited in the  
36 proper box or boxes. At the time of the deposit of such ballot, the  
37 inspectors shall enter the words "early mail vote" at an appropriate  
38 place in the register.

39 11. During such examination any qualified voter present in the polling  
40 place may object to the voting of the ballot contained in any envelope  
41 upon the ground or grounds that the person named thereon is not a quali-  
42 fied voter of the town. An inspector shall make such an objection if he  
43 shall know or suspect that the person named on such envelope is not such  
44 a qualified voter. The election inspectors shall forthwith proceed to  
45 determine each objection including any written challenge transmitted to  
46 them by the town clerk as provided in subdivision six of this section.  
47 Unless the inspectors, by majority vote, shall sustain the objection,  
48 the chairman, or if he refuses, another inspector shall endorse upon the  
49 envelope the objection and the words "not sustained," shall sign such  
50 endorsement, and shall open the envelope and deposit the ballot as  
51 provided in this section. Should the inspectors, by majority vote,  
52 sustain such objection, the objection and word "sustained" shall be  
53 similarly endorsed upon the envelope, the envelope shall not be opened  
54 nor the ballots therein canvassed, and such envelope shall be returned  
55 unopened to the town clerk. If the inspectors of election shall have  
56 received an envelope endorsed with the name of a person who to the know-

1 ledge of the inspectors is deceased on the day of the election, the  
2 inspectors shall return such envelope unopened to the town clerk with  
3 the words "deceased--objection sustained" endorsed on the envelope.

4 12. If the inspectors of election shall have received an envelope, and  
5 upon opening the same no ballot shall be found therein, the inspectors  
6 shall make a memorandum showing that the ballot is missing. When the  
7 casting of early mail voters' ballots shall have been completed, the  
8 inspectors shall ascertain the number of such ballots which have been  
9 deposited in the ballot box by deducting from the number of envelopes  
10 opened the number of missing ballots, and shall make a separate return  
11 thereof in duplicate. The number of early mail voters' ballots deposited  
12 in the ballot box shall be added to the number of other ballots deposit-  
13 ed in the ballot box in order to determine the number of all ballots to  
14 be accounted for in the ballot box. Such ballots shall then be counted  
15 or canvassed by the inspectors of election along with the other ballots  
16 cast at such district election, or, where voting machines are used,  
17 shall be added to the votes recorded on such machines.

18 13. The provisions of this section shall apply to early mail ballots  
19 in special town elections, notwithstanding any other provision of law.  
20 The provisions of any other law as they relate to special town elections  
21 not inconsistent herewith shall apply to the conduct of such elections.

22 § 54. Paragraph 1 of subdivision a of section 1053 of the New York  
23 city charter, as amended by local law number 48 of the city of New York  
24 for the year 2022, is amended to read as follows:

25 1. material explaining the date and hours during which the polls will  
26 be open for that election; when, where, and how to register to vote;  
27 when an eligible voter is required to reregister; when, where, and how  
28 early mail and absentee ballots are obtained and used; instructions on  
29 how to vote; information on the political subdivisions applicable to a  
30 particular voter's address; and any other general information on voting  
31 deemed by the board to be necessary or useful to the electorate or  
32 otherwise consistent with the goals of this charter;

33 § 55. Paragraph 8 of subdivision b of section 1054 of the New York  
34 city charter, as added by local law number 6 of the city of New York for  
35 the year 2019, is amended to read as follows:

36 8. conduct yearly trainings for all relevant staff of the department  
37 of correction. Such training shall include, at minimum, information on  
38 voting laws for currently and formerly incarcerated individuals in the  
39 state of New York, voter registration procedures, early mail and absen-  
40 tee voting, and determining eligibility to vote.

41 § 56. Subdivision 9 of section 1057-a of the New York city charter, as  
42 amended by chapter 322 of the laws of 2021, is amended to read as  
43 follows:

44 9. In addition to the other requirements of this section, the depart-  
45 ment of correction shall implement and administer a program of distrib-  
46 ution and submission of early mail and absentee ballot applications, and  
47 subsequently received early mail or absentee ballots, for eligible  
48 incarcerated individuals. Such department shall offer, to all incarcer-  
49 ated individuals who are registered to vote, early mail and absentee  
50 ballot applications, and a means to complete them, during the period  
51 from sixty days prior to any primary, special, or general election in  
52 the city of New York until two weeks prior to any such election. Such  
53 department shall subsequently provide any early mail or absentee ballot  
54 received from the board of elections in response to any such application  
55 to the applicable incarcerated individual, as well as a means to  
56 complete it. Such department shall provide assistance to any such incar-

1 cerated individual in filling out such application or ballot upon  
2 request. Such department shall, not later than five days after receipt,  
3 transmit such completed applications and ballots from any incarcerated  
4 individual who wishes to have them transmitted to the board of elections  
5 for the city of New York. The provisions of this subdivision shall not  
6 apply in any specific instance in which the department deems it unsafe  
7 to comply therewith.

8 § 57. Paragraph 3 of subdivision a of section 1057-d of the New York  
9 city charter, as added by local law number 64 of the city of New York  
10 for the year 2016, is amended to read as follows:

11 (3) notification of the deadline for submission of [a] an early mail  
12 voting application or a mailed absentee voting application for such  
13 election, sent ten business days prior to such deadline; and

14 § 58. Subdivision a of section 1057-e of the New York city charter, as  
15 added by local law number 65 of the city of New York for the year 2016,  
16 is amended to read as follows:

17 a. allowing any registered voter who has submitted an application for  
18 an early mail or absentee ballot, or who otherwise has a right to  
19 receive an early mail or absentee ballot, for an upcoming election  
20 pursuant to the election law to view the current status of their early  
21 mail or absentee application and early mail or absentee ballot. Such  
22 website and mobile application shall indicate for each such voter wheth-  
23 er the board of elections in the city of New York has:

24 (1) received such voter's request for an early mail or absentee  
25 ballot, if applicable;

26 (2) approved or rejected such request, if applicable, and, if  
27 rejected, a brief statement of the reason for rejection;

28 (3) mailed or delivered an early mail or absentee ballot to such voter  
29 for such upcoming election, and shall include the ability for such voter  
30 to see the status of a mailed early mail or absentee ballot by United  
31 States postal service intelligent mail barcode or successor technology;

32 (4) received such voter's completed early mail or absentee ballot for  
33 such upcoming election; and

34 (5) determined that such voter's completed early mail or absentee  
35 ballot was invalid, and, if such a finding was made, a brief statement  
36 of the reason.

37 § 59. The last undesignated paragraph of subparagraph (a) of paragraph  
38 3 of subdivision d of section 1057-g of the New York city charter, as  
39 amended by local law number 3 of the city of New York for the year 2023,  
40 is amended to read as follows:

41 You have a right to a replacement ballot. If you make a mistake, or  
42 want to change your vote, (insert "ask a poll worker for a new ballot"  
43 or, for early mail or absentee ballots, "call the board of elections at  
44 (insert phone number here) for instructions on how to obtain a new  
45 ballot").

46 § 60. This act shall take effect January 1, 2025 and shall apply to  
47 any general, primary, run-off primary, or special election held there-  
48 after.