

STATE OF NEW YORK

2306

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. MYRIE, HOYLMAN-SIGAL, KRUEGER, SEPULVEDA, STAVISKY
-- read twice and ordered printed, and when printed to be committed to
the Committee on Elections

AN ACT to amend the election law, in relation to improving the issuing
of absentee ballots

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

1 Section 1. Paragraphs (c) and (d) of subdivision 2 of section 8-400 of
2 the election law, as separately amended by chapters 273 and 746 of the
3 laws 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] day
7 before the election for which a ballot is first requested. [Applications
8 for an absentee ballot that will be delivered in person at the board of
9 elections to the voter or to an agent of the voter must be received by
10 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 or other written instrument containing a signature of the voter
15 indicating the address, phone number and the telefax number from which
16 the writing is sent or other written instrument, [~~or an electronic~~
17 ~~application submitted by the voter through the electronic absentee~~
18 ~~ballot application transmittal system established by the state board of~~
19 ~~elections,~~] which is signed by the voter and received by the board of
20 elections not earlier than the thirtieth day, if said absentee ballots
21 have been prepared or immediately upon their receipt by the board of
22 elections, nor later than the [fifteenth] day before the election for
23 which the ballot is first requested and which states the address where
24 the voter is registered and the address to which the ballot is to be

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

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1 mailed; provided, however, a military voter may request a military
2 ballot or voter registration application or an absentee ballot applica-
3 tion in a letter as provided in subdivision three of section 10-106 of
4 this chapter; and provided further, a special federal voter may request
5 a special federal ballot or voter registration application or an absen-
6 tee ballot application in a letter as provided in paragraph d of subdi-
7 vision one of section 11-202 of this chapter. The board of elections
8 shall enclose with such ballot a form of application for absentee ballot
9 if the applicant is registered with such board of elections.
10 § 2. This act shall take effect immediately.