STATE OF NEW YORK

2335

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. MYRIE, BROUK, MAYER, SKOUFIS -- 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 empowering the commissioner of a board of elections to order a voting machine audit upon a finding of discrepancies

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

Section 1. Subdivision 4 of section 9-211 of the election law, as amended by chapter 763 of the laws of 2021, is amended to read as follows:

4. The state board of elections shall, in accordance with subdivision four of section 3-100 of this chapter, promulgate regulations establishing a uniform statewide standard to be used by boards of elections to determine when a discrepancy between the audit tallies and the voting machine or system tallies shall require a further voter verifiable record audit of additional voting machines or systems or a complete audit of all machines or systems within the jurisdiction of a board of elections. Any **commissioner of a** board of elections shall be empowered to order that any such audit shall be conducted whenever any such discrepancy exists.

§ 2. This act shall take effect immediately.

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

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