

# STATE OF NEW YORK

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2335

2023-2024 Regular Sessions

## IN SENATE

January 19, 2023

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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:

- 1 Section 1. Subdivision 4 of section 9-211 of the election law, as  
2 amended by chapter 763 of the laws of 2021, is amended to read as  
3 follows:  
4 4. The state board of elections shall, in accordance with subdivision  
5 four of section 3-100 of this chapter, promulgate regulations establish-  
6 ing a uniform statewide standard to be used by boards of elections to  
7 determine when a discrepancy between the audit tallies and the voting  
8 machine or system tallies shall require a further voter verifiable  
9 record audit of additional voting machines or systems or a complete  
10 audit of all machines or systems within the jurisdiction of a board of  
11 elections. Any commissioner of a board of elections shall be empowered  
12 to order that any such audit shall be conducted whenever any such  
13 discrepancy exists.  
14 § 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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