STATE OF NEW YORK

5192

2023-2024 Regular Sessions

IN SENATE

February 27, 2023

Introduced by Sen. WALCZYK -- 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 requiring the county seat in Herkimer county to have at least one polling place designated for early voting

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

Section 1. Subdivision 2 of section 8-600 of the election law, as amended by chapter 781 of the laws of 2021, is amended to read as follows:

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect immediately.