

# STATE OF NEW YORK

7404--A

2023-2024 Regular Sessions

## IN SENATE

May 23, 2023

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to canvassing of absentee and affidavit ballots

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

1 Section 1. Subdivision 3 of section 9-110 of the election law, as  
2 amended by chapter 437 of the laws of 2019, is amended to read as  
3 follows:

4 3. Nothing in this section shall be construed to require or permit  
5 absentee or affidavit ballots to be canvassed at the poll site on  
6 election day. Such ballots shall be canvassed pursuant to section 9-209  
7 of this article. Nothing in this section prohibits a representative of a  
8 candidate, political party, or independent body entitled to have a  
9 watcher present at the polls from observing, without objection, the  
10 canvass of ballots.

11 § 2. Subdivision 5 of section 9-209 of the election law, as added by  
12 chapter 763 of the laws of 2021, is amended to read as follows:

13 5. Nothing in this section prohibits a representative of a candidate,  
14 political party, or independent body entitled to have watchers present  
15 at the polls in any election district in the board's jurisdiction from  
16 observing, without objection, the review of ballot envelopes required by  
17 subdivisions two, three [~~and~~], four, and seven of this section.

18 § 3. Subdivision 7 of section 9-209 of the election law is amended by  
19 adding a new paragraph (1) to read as follows:

20 (1) The provisions of this subdivision shall apply notwithstanding any  
21 other provision of this chapter.

22 § 4. 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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