# STATE OF NEW YORK

9792

# IN SENATE

May 30, 2024

Introduced by Sen. FERNANDEZ -- (at request of the State Board of Elections) -- 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 special ballots for a voter having medical exigency on election day

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

Section 1. The election law is amended by adding a new section 11-310 to read as follows:

**§ 11-310. Special ballot on account of medical exigency on election day. A person who by reason of medical exigency, including hospitalization, that manifests no earlier than the day before an election, may deliver on the day of the election an application that attests that such person cannot attend the polls due to such medical exigency. The board of elections shall, upon the approval of such application, provide to such voter's designated agent any time prior to the close of polls on election day a ballot; provided, however, that the distribution of such ballot to such voter shall afford such voter sufficient time to return such ballot prior to the close of polls. Such ballot shall be valid if timely postmarked. Such ballots shall be canvassed pursuant to the provisions of section 9-209 of this chapter.**

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

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