

STATE OF NEW YORK

3985

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. McDONOUGH -- read once and referred to the
Committee on Election Law

AN ACT to amend the election law, in relation to the mailing or delivery
of absentee ballots

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

1 Section 1. Subdivision 1 of section 8-406 of the election law, as
2 amended by section 2 of part HH of chapter 55 of the laws of 2022, is
3 amended to read as follows:

4 1. If the board shall find that the applicant is a qualified voter of
5 the election district containing his or her residence as stated in his
6 or her statement and that his or her statement is sufficient, it shall,
7 as soon as practicable after it shall have determined his or her right
8 thereto, mail to him or her at an address designated by him or her, or
9 deliver to him or her, or to any person designated for such purpose in
10 writing by him or her, at the office of the board, such an absentee
11 voter's ballot or set of ballots and an envelope therefor. If the ballot
12 or ballots are to be sent outside of the United States to a country
13 other than Canada or Mexico, such ballot or ballots shall be sent by air
14 mail. However, if an applicant who is eligible for an absentee ballot
15 is a resident of a facility operated or licensed by, or under the juris-
16 diction of, the department of mental hygiene, or a resident of a facili-
17 ty defined as a nursing home or residential health care facility pursu-
18 ant to subdivisions two and three of section two thousand eight hundred
19 one of the public health law, or a resident of a hospital or other
20 facility operated by the [~~Veteran's Administration of the United States~~]
21 United States Department of Veterans Affairs, such absentee ballot need
22 not be so mailed or delivered to any such applicant but, may be deliv-
23 ered to the voter in the manner prescribed by section 8-407 of this
24 chapter if such facility is located in the county or city in which such
25 voter is eligible to vote. No absentee ballot shall be mailed or deliv-
26 ered to a voter unless such voter specifically requests to receive an
27 absentee ballot.

28 § 2. This act shall take effect immediately.

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

LBD07296-01-3