STATE OF NEW YORK

4062--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. SILLITTI, McDONALD, EPSTEIN, DINOWITZ, MAGNARELLI, JACOBSON, KELLES, BENDETT, DeSTEFANO, RAGA, SIMONE, WALKER, SIMON, NOVAKHOV, GONZALEZ-ROJAS, SHIMSKY, THIELE, AUBRY, LUNSFORD, ARDILA, GLICK -- read once and referred to the Committee on Election Law -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to requiring state and county boards of elections to post sample ballots

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

Section 1. Subdivision 3 of section 7-118 of the election law, as separately amended by chapters 410 and 411 of the laws of 2019, is amended to read as follows:

3. Sample ballots may be mailed by the board of elections to each eligible voter at least three days before the [~~election, or in lieu thereof, a copy of such sample ballot may be published at least once within one week preceding the election in newspapers or on a website maintained by the board of elections~~] **first day of early voting**. Each county board of elections shall transmit electronically in a format to be determined by the state board of elections, as it is available, a copy [~~of the candidate and contest information contained on each of its ballot styles~~] **of a sample ballot for all election districts within that county** to the state board of elections. [~~The state board shall create a system to allow such information to be made publicly available via its website, as well as the website of any county board of elections, and in such a way as to be accessible with a computer screen-reading program.~~]

§ 2. Section 7-118 of the election law is amended by adding two new subdivisions 3-a and 3-b to read as follows:

3-a. The board of elections shall post a sample ballot for each election district in the state on the board's website at least twelve

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

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days prior to the first day of early voting. The board shall post such sample ballots in a searchable database which allows voters to obtain polling site information, voter district information and a sample ballot that such voter shall be eligible to cast at the next election. Sample ballots shall have an imbedded security tool to prevent tampering and printing of such sample ballots.

3-b. Each county board of elections may post a sample ballot for each election district within that county at least twelve days prior to the first day of early voting. A county board that posts such sample ballots shall do so in a searchable database that allows voters to obtain polling site information and a sample ballot that such voter shall be eligible to cast in the next election. Such sample ballots shall have an imbedded security tool to prevent tampering and printing of such ballot. Such county board of elections may also refer to the state board of elections' website for such information to be delivered pursuant to subdivision three-a of this section.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.