STATE OF NEW YORK

7147

2023-2024 Regular Sessions

IN ASSEMBLY

May 11, 2023

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

AN ACT to amend the election law, in relation to availability of electronic ballot images

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

Section 1. Subdivision 1 of section 3-222 of the election law, as amended by chapter 169 of the laws of 2011, is amended to read as follows:

1. Except as hereinafter provided, removable memory cards or other similar electronic media shall remain sealed against reuse until such time as the information stored on such media has been preserved in a manner consistent with procedures developed and distributed by the state board of elections. Provided, however, that**: (i)** the information stored on such **memory card or other similar** electronic media and all the data and figures therein may be examined upon the order of any court or judge of competent jurisdiction or may be examined at the direction of a committee of the senate or assembly to investigate and report upon contested elections of members of the legislature voted for by the use of voting machines utilizing such electronic media and such data and such figures examined by such committee in the presence of the officer having the custody of voting machines and electronic media**; and (ii) the electronically rendered image of each cast ballot produced by each ballot scanner used at an election and the cast vote record that shows how the ballot image was interpreted shall be copied from the memory cards or other similar electronic media by the board of elections no later than one week after such election, and such copied electronic images of cast ballots and the cast vote records shall be public records of the board of elections available upon request**.

§ 2. This act shall take effect immediately.

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

LBD01328-01-3