

# STATE OF NEW YORK

9357

## IN ASSEMBLY

March 6, 2024

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 public school buildings  
designated as polling places

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

1 Section 1. Subdivision 3 of section 4-104 of the election law, as  
2 amended by chapter 694 of the laws of 1989, is amended to read as  
3 follows:  
4 3. A building exempt from taxation shall be used whenever possible as  
5 a polling place if it is situated in the same or a contiguous election  
6 district, and may contain as many distinctly separate polling places as  
7 public convenience may require. The expense, if any, incidental to its  
8 use, shall be paid like the expense of other places of registration and  
9 voting. If a board or body empowered to designate polling places chooses  
10 a public school building for such purpose, the board or agency which  
11 controls such building must make available a room or rooms in such  
12 building which are suitable for registration and voting and which are as  
13 close as possible to a convenient entrance to such building and must  
14 make available any such room or rooms which the board or body designat-  
15 ing such building determines are accessible to physically disabled  
16 voters as provided in subdivision one-a of this section. Notwithstanding  
17 the provisions of any general, special or local law, if a board or body  
18 empowered to designate polling places chooses a publicly owned or leased  
19 building[~~, other than a public school building,~~] for such purposes the  
20 board or body which controls such building must make available a room or  
21 rooms in such building which are suitable for registration and voting  
22 and which are as close as possible to a convenient entrance to such  
23 building, and must make available any such room or rooms which the board  
24 or body designating such building determines are accessible to phys-  
25 ically disabled voters unless, not later than thirty days after notice  
26 of its designation as a polling place, the board or body controlling  
27 such building, files a written request for a cancellation of such desig-  
28 nation with the board or body empowered to designate polling places on

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

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1 such form as shall be provided by the board or body making such desig-  
2 nation. The board or body empowered to so designate shall, within twenty  
3 days after such request is filed, determine whether the use of such  
4 building as a polling place would unreasonably interfere with the usual  
5 activities conducted in such building and upon such determination, may  
6 cancel such designation.

7 § 2. This act shall take effect immediately.