STATE OF NEW YORK

2306

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. MYRIE, HOYLMAN-SIGAL, KRUEGER, SEPULVEDA, STAVISKY -- 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 improving the issuing of absentee ballots

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

Section 1. Paragraphs (c) and (d) of subdivision 2 of section 8-400 of the election law, as separately amended by chapters 273 and 746 of the laws of 2021, are amended to read as follows:

(c) All applications requesting an absentee ballot by mail or through the electronic absentee ballot application transmittal system must be received by the board of elections not later than the [~~fifteenth~~] day before the election for which a ballot is first requested. [~~Applications for an absentee ballot that will be delivered in person at the board of elections to the voter or to an agent of the voter must be received by such board not later than the day before such election.~~]

(d) The board of elections shall mail an absentee ballot to every qualified voter otherwise eligible for such a ballot, who requests such an absentee ballot from such board of elections in writing in a letter, telefax **or other written instrument containing a signature of the voter** indicating the address, phone number and the telefax number from which the writing is sent or other written instrument, [~~or an electronic application submitted by the voter through the electronic absentee ballot application transmittal system established by the state board of elections,~~] which is signed by the voter and received by the board of elections not **earlier than the thirtieth day, if said absentee ballots have been prepared or immediately upon their receipt by the board of elections, nor** later than the [~~fifteenth~~] day before the election for which the ballot is first requested and which states the address where the voter is registered and the address to which the ballot is to be

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

LBD04067-01-3

mailed; provided, however, a military voter may request a military ballot or voter registration application or an absentee ballot application in a letter as provided in subdivision three of section 10-106 of this chapter; and provided further, a special federal voter may request a special federal ballot or voter registration application or an absentee ballot application in a letter as provided in paragraph d of subdivision one of section 11-202 of this chapter. The board of elections shall enclose with such ballot a form of application for absentee ballot if the applicant is registered with such board of elections.

§ 2. This act shall take effect immediately.