

STATE OF NEW YORK

9759

IN SENATE

May 29, 2024

Introduced by Sen. GIANARIS -- (at request of the State Board of Elections) -- 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 application deadlines for military voters

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

1 Section 1. Section 11-104 of the election law, as amended by chapter
2 234 of the laws of 1976, paragraph a of subdivision 1 and subdivision 2
3 as amended by chapter 99 of the laws of 1989, is amended to read as
4 follows:

5 § 11-104. Registration and application for special presidential
6 ballot. 1. a. A person who, pursuant to the provisions of this title, is
7 qualified to vote for president and vice president of the United States
8 may apply to the board of elections of [~~his~~ their] county of residence
9 next preceding the place of [~~his~~ their] current residence for a special
10 ballot for president and vice president. Such applications must be
11 mailed to such board of elections not later than the [~~seventh~~ tenth] day
12 before the election or delivered to such board not later than the day of
13 such election.

14 b. Insofar as the provisions of this chapter providing for voting in
15 person or by absentee ballot do not conflict with any provision of this
16 section, such provisions apply to a person authorized to vote under this
17 article. In the case of any such conflict, the provision of this
18 section shall prevail and such other provision of this chapter shall not
19 apply.

20 2. a. A form of application for a special ballot under this section
21 shall be furnished by the board of elections to the applicant who shall
22 request such form within the time prescribed therefor. In addition,
23 application forms shall be supplied to the applicant's spouse, parent or
24 child, a person residing with the applicant as a member of [~~his~~ their]
25 household, or the applicant's duly authorized agent.

26 b. The board of elections shall mail a special presidential ballot to
27 every qualified voter otherwise eligible for such a ballot, who requests

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

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1 such a special presidential ballot from such board of elections in a
2 letter, which is signed by the voter and received by the board of
3 elections not earlier than the thirtieth day nor later than the
4 [~~seventh~~] tenth day before the election and which states the address
5 where the voter is registered and the address to which the voter has
6 moved and the date of such move. The board of elections shall enclose
7 with such ballot a form of application for special presidential ballot.

8 c. The application shall be made and signed by the applicant at the
9 places thereon provided for such purpose and [~~he~~] the applicant shall
10 set forth therein all of the facts required to establish [~~his~~] such
11 applicant's qualifications to register and vote under this article.

12 d. The form for use under subdivision one of this section shall be of
13 a distinctive color and in the form prescribed by the state board of
14 elections.

15 § 2. This act shall take effect on the first of January next succeed-
16 ing the date on which it shall have become a law.