

# STATE OF NEW YORK

3060

2025-2026 Regular Sessions

## IN ASSEMBLY

January 23, 2025

Introduced by M. of A. R. CARROLL, EPSTEIN, SHIMSKY, SIMON -- read once  
and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to permitting voting at  
any polling place within the same county

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

1 Section 1. The election law is amended by adding a new section 8-107  
2 to read as follows:

3 § 8-107. Choice of polling place. Any voter registered to vote in any  
4 election district within a county outside the city of New York shall be  
5 entitled to vote at any polling place within that county. Any voter  
6 registered to vote in any election district within the city of New York  
7 shall be entitled to vote at any polling place within the city of New  
8 York. Each board of elections shall ensure that each polling place with-  
9 in its jurisdiction shall be equipped to print ballots on demand. The  
10 state board of elections shall promulgate regulations to ensure that  
11 auditing and recanvassing of votes shall remain simple, accurate,  
12 affordable, and secure, including by requiring marks on ballots to  
13 determine the relevant election district so ballots can be quickly and  
14 easily sorted by election district. Nothing in this section shall be  
15 read to permit a board of elections to reduce the number of polling  
16 places below existing requirements, and each election district shall  
17 have a polling place at which preprinted ballots shall be available,  
18 which shall be deemed the polling place for such election district.

19 § 2. Subdivision 3 of section 8-600 of the election law, as added by  
20 chapter 6 of the laws of 2019, is amended to read as follows:

21 3. Any voter registered in an election district outside the city of  
22 New York may vote at any polling place for early voting established  
23 pursuant to subdivision two of this section in the county where such  
24 voter is registered to vote [~~; provided, however, if it is impractical to~~  
25 ~~provide each polling place for early voting all of the election district~~

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

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~~ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site].~~ Any voter registered in an election district within the city of New York may vote at any polling place for early voting established pursuant to subdivision two of this section in the city of New York. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. ~~[If the board of elections does not agree by majority vote to plan to assign election districts to early voting poll sites, all voters in the county must be able to vote at any poll site for early voting in the county.]~~

§ 3. Section 4-132 of the election law is amended by adding a new subdivision e to read as follows:

e. On demand ballot printers for individuals entitled to vote in such polling place where ballots for such individual's election district are not available in pre-printed format. Ballot printers must be maintained and serviced prior to each election. Paperwork must be created and signed by the commissioners that each ballot printer that is intended to be put into use in the upcoming election has been serviced and is in good working condition.

§ 4. Subdivision 9 of section 5-210 of the election law, as amended by chapter 481 of the laws of 2023, is amended to read as follows:

9. The county board of elections shall, as soon as practicable and in any event, not later than seven days after receipt by it of the application, verify the identity of the applicant. In order to do so, the county board of elections shall utilize the information provided in the application and shall attempt to verify such information with the information provided by the department of motor vehicles, social security administration and any other lawful available information source. If the county board of elections is unable to verify the identity of the applicant within seven days of the receipt of the application, it shall immediately take steps to confirm that the information provided by the applicant was accurately utilized by such county board of elections, was accurately verified with other information sources and that no data entry error, or other similar type of error, occurred. Following completion of the preceding steps, the county board of elections shall mail (a) a notice of its approval, (b) a notice of its approval which includes an indication that such board has not yet been able to verify the identity of the applicant and a request for more information so that such verification may be completed, or (c) a notice of its rejection of the application to the applicant in a form approved by the state board of elections. Notices of approval, notices of approval with requests for more information or notices of rejection shall be sent by nonforwardable first class or return postage guaranteed mail on which is endorsed such language designated by the state board of elections to ensure postal authorities do not forward such mail but return it to the board of elections with forwarding information, when it cannot be delivered as addressed and which contains a request that any such mail received for persons not residing at the address be dropped back in the mail. The voter's registration and enrollment shall be complete upon receipt of the application by the appropriate county board of elections. The failure of a county board of elections to verify an applicant's identity shall not be the basis for the rejection of a voter's application, provided, however, that such verification failure shall be the basis for requiring county board of elections to take the additional verification

1 steps provided by this chapter. The notice shall also advise the regis-  
2 trant of the date when their registration and enrollment is effective,  
3 of the date and the hours of the next regularly scheduled primary or  
4 general election in which such registrant will be eligible to vote, of  
5 the location of the polling [~~place~~] places of the election district in  
6 which such registrant is or will be a qualified voter, of the location  
7 of the polling place of the election district and county in which  
8 preprinted ballots shall be available, whether such polling [~~place is~~]  
9 places are accessible to physically handicapped voters, an indication  
10 that any registered voter may vote early by mail and information on how  
11 to obtain an early mail ballot, that physically handicapped voters or  
12 voters who are ill or voters who will be out of the city or county on  
13 the day of the primary or general election, may obtain an absentee  
14 ballot and the phone number to call for absentee ballot applications,  
15 the phone numbers to call for location of polling places, to obtain  
16 registration forms and the phone number to call to indicate that the  
17 voter is willing to serve on election day as an inspector, poll clerk or  
18 interpreter. The notice of approval, notice of approval with request for  
19 more information or notice of rejection shall also advise the applicant  
20 to notify the board of elections if there is any inaccuracy. The form of  
21 such mail notification shall be prescribed by the state board of  
22 elections and shall contain such other information and instructions as  
23 it may reasonably require to carry out the purposes of this section. The  
24 request for more information shall inform the voter that "THE FAILURE TO  
25 CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE  
26 APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A  
27 REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A  
28 VOTING MACHINE." If such notice is returned undelivered without a new  
29 address, the board shall forthwith send such applicant a confirmation  
30 notice pursuant to the provisions of section 5-712 of this article and  
31 place such applicant in inactive status. The state board of elections  
32 shall prepare uniform notices by this section as provided for in subdi-  
33 vision eight of section 3-102 of this chapter.

34 § 5. Subdivision 1 of section 5-226 of the election law is amended to  
35 read as follows:

36 1. If any voter has been registered in a wrong election district, the  
37 board of elections shall, if [~~he is~~] they are a qualified voter in any  
38 election district within the jurisdiction of such board, change [~~his~~]  
39 their registration to the correct election district. The board of  
40 elections shall thereupon give immediate notice by mail to such voter  
41 that [~~his~~] their registration has been corrected, and also the location  
42 of the polling [~~place~~] places of the election district in which [~~he is~~]  
43 they are a qualified voter.

44 § 6. Subdivision 1 of section 5-500 of the election law, as amended by  
45 chapter 373 of the laws of 1978, is amended to read as follows:

46 1. There shall be two records of the registration of each voter.  
47 Except as otherwise provided in this chapter, one record shall be sent,  
48 at the time of every election, to the polling [~~place~~] places where the  
49 voter is entitled to vote, and shall be known as the "registration poll  
50 record". Between elections it shall be kept in the main office or a  
51 branch office of the board of elections. The other record shall be kept  
52 constantly in such main office or branch office and shall be known as  
53 the "central file registration record". The two types of records shall  
54 be prepared in different colors.

55 § 7. Subdivision 1 of section 5-601 of the election law, as amended by  
56 chapter 599 of the laws of 1991, is amended to read as follows:

1 1. [~~A physically disabled voter whose polling place is located in a~~  
 2 ~~building that is not accessible shall be entitled to vote in any other~~  
 3 ~~election district whose polling place is located in a building which is~~  
 4 ~~accessible, provided that the candidates and ballot proposals on the~~  
 5 ~~ballot in such other election district are the same as those on the~~  
 6 ~~ballot in the election district in which such voter resides.] Each poll-  
 7 ing place shall be accessible.~~

8 § 8. Subdivision 6 of section 7-122 of the election law, as amended by  
 9 chapter 411 of the laws of 2019, is amended to read as follows:

10 6. On the reverse side of such inner affirmation envelope shall be  
 11 printed the following statement:

12 AFFIRMATION

13 I do declare that I am a citizen of the United States, that I am duly  
 14 registered in the election district shown on the reverse side of this  
 15 envelope and I am qualified to vote in such district; that I will be  
 16 unable to appear personally on the day of the election for which this  
 17 ballot is voted at [~~the~~] a polling place of the election district in  
 18 which I am a qualified voter because of the reason given on my applica-  
 19 tion heretofore submitted; that I have not qualified nor do I intend to  
 20 vote elsewhere, that I have not committed any act nor am I under any  
 21 impediment which denies me the right to vote.

22 I hereby declare that the foregoing is a true statement to the best of  
 23 my knowledge and belief, and I understand that if I make any material  
 24 false statement in the foregoing statement of absentee voter, I shall be  
 25 guilty of a misdemeanor.

26 Date.....20.....  
 27 Signature or mark of voter

28  
 29 Signature of Witness (required only  
 30 if voter does not sign [~~his or her~~] their ow  
 31 name)

32  
 33 Address of Witness

34 § 9. Subdivision 3 of section 8-100 of the election law is amended to  
 35 read as follows:

36 3. In any election district in which a primary of any party is uncon-  
 37 tested, no primary of such party shall be held. In any election district  
 38 in which the primaries of all parties are uncontested on the day of any  
 39 primary election, no primaries shall be held on such day [~~and the poll-~~  
 40 ~~ing place shall not be opened for voting~~].

41 § 10. This act shall take effect January 1, 2026.