

# STATE OF NEW YORK

6723

2025-2026 Regular Sessions

## IN ASSEMBLY

March 11, 2025

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

AN ACT to amend the election law, in relation to authorizing public school buildings to reject a designation as a polling place

The People of the State of New York, represented in Senate and Assembly, 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 board or body empowered to designate polling places shall designate any public building as a polling place to the extent practicable.  
5 If additional polling places shall be needed, a building exempt from  
6 taxation shall be used whenever possible [~~as a polling place~~], if it is  
7 situated in the same or a contiguous election district, and may contain  
8 as many distinctly separate polling places as public convenience may  
9 require. The expense, if any, incidental to its use, shall be paid like  
10 the expense of other places of registration and voting. If a board or  
11 body empowered to designate polling places chooses a public school  
12 building for such purpose, the board or agency which controls such  
13 building must make available a room or rooms in such building which are  
14 suitable for registration and voting and which are as close as possible  
15 to a convenient entrance to such building and must make available any  
16 such room or rooms which the board or body designating such building  
17 determines are accessible to physically disabled voters as provided in  
18 subdivision one-a of this section; provided, however, not later than  
19 forty-five days after a public school building receives notice of its  
20 designation as a polling place, the board or agency which controls such  
21 building may file a certified resolution rejecting such designation,  
22 upon adoption of a resolution following a public hearing, with such  
23 board or body empowered to designate polling places. Notwithstanding the  
24 provisions of any general, special, or local law, a board or agency  
25

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

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1 which controls a public school building, upon adoption of a resolution  
2 following a public hearing, may notify a board or body empowered to  
3 designate polling places by an affirmative certified resolution that a  
4 certain public school building shall not be designated as a polling  
5 place. Notwithstanding the provisions of any general, special or local  
6 law, if a board or body empowered to designate polling places chooses a  
7 publicly owned or leased building, other than a public school building,  
8 for such purposes the board or body which controls such building must  
9 make available a room or rooms in such building which are suitable for  
10 registration and voting and which are as close as possible to a conven-  
11 ient entrance to such building, and must make available any such room or  
12 rooms which the board or body designating such building determines are  
13 accessible to physically disabled voters unless, not later than thirty  
14 days after notice of its designation as a polling place, the board or  
15 body controlling such building, files a written request for a cancella-  
16 tion of such designation with the board or body empowered to designate  
17 polling places on such form as shall be provided by the board or body  
18 making such designation. The board or body empowered to so designate  
19 shall, within twenty days after such request is filed, determine whether  
20 the use of such building as a polling place would unreasonably interfere  
21 with the usual activities conducted in such building and upon such  
22 determination, may cancel such designation.

23 § 2. Paragraph (a) of subdivision 2 of section 8-600 of the election  
24 law, as amended by chapter 781 of the laws of 2021, is amended to read  
25 as follows:

26 (a) The board of elections shall designate polling places for early  
27 voting, which may include the offices of the board of elections, for  
28 persons to vote early pursuant to this title. Provided, however, should  
29 the board of elections designate a public school building as a polling  
30 place for early voting, the board or agency which controls such building  
31 may file a certified resolution rejecting such designation, upon  
32 adoption of a resolution following a public hearing, with the board of  
33 elections within forty-five days of receiving notice of its designation  
34 as an early voting polling place. Notwithstanding the provisions of any  
35 general, special, or local law, a board or agency which controls a  
36 public school building, upon adoption of a resolution following a public  
37 hearing, may notify a board or body empowered to designate early voting  
38 polling places by an affirmative certified resolution that a certain  
39 public school building shall not be designated as an early voting poll-  
40 ing place.

41 § 3. This act shall take effect immediately.