STATE OF NEW YORK

10126

IN SENATE

April 30, 2026

Introduced by Sen. BAILEY -- 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 prohibiting local boards of elections from purchasing direct recording electronic machines

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

Section 1. Subdivision 4 of section 7-202 of the election law, as added by chapter 181 of the laws of 2005, is amended and a new subdivision 5 is added to read as follows:

4. Local boards of elections which obtain voting machines pursuant to this chapter [~~may determine to~~] **shall** purchase [~~direct recording electronic machines or~~] optical scan machines **that tabulate paper ballots marked by hand that comply with section 7-104 of this article, and ballot marking devices that comply with subdivision two of this section but do not tabulate votes,** in conformance with the requirements of this chapter.

5. Local boards of elections must provide every voter at every polling place, both of the following options:

(a) to hand mark a paper ballot that complies with section 7-104 of this article; or

(b) to use a ballot marking device that does not tabulate votes to mark such paper ballot.

§ 2. Voting machines and systems purchased prior to the effective date of this act may continue to be used and maintained if they are designed and constructed to utilize paper ballots that comply with section 7-104 of the election law.

§ 3. This act shall take effect immediately.

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

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